

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**

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**FORTY-EIGHTH DAY'S PROCEEDINGS**

**Thirtieth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Friday, June 18, 2004

The Senate was called to order at 9:30 o'clock A.M., by Hon. Donald E. Hines, President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Schedler
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Irons	Ullo
Dardenne	Jackson	
Duplessis	Jones	
Total—37		

**ABSENT**

Lentini	Romero
Total—2	

The President of the Senate announced there were 37 Senators present and a quorum.

**Prayer**

The prayer was offered by Pastor Terry Hebert, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Fontenot, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**PASSED SENATE BILLS AND  
JOINT RESOLUTIONS**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 27—**  
BY SENATOR MCPHERSON  
AN ACT

To enact R.S. 24:653(K) and Part VIII-B of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:310, relative to legislative review; to require private entities to provide to the legislature information relative to the expenditure of revenue generated from the operation, management, or control of public lands or facilities; to require the division of administration to develop a reporting form; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 82—**  
BY SENATOR BOISSIERE  
AN ACT

To amend and reenact R.S. 11:3385.1(G), relative to the New Orleans Firefighters' Pension and Relief Fund; to provide for interest paid on Deferred Retirement Option Plan accounts; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 37—**  
BY SENATOR HOLDEN  
AN ACT

To amend and reenact R.S. 23:633, relative to employment; to provide with respect to payment of wages; to provide for criminal penalties; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 39—**  
BY SENATOR MCPHERSON  
AN ACT

To enact R.S. 24:653(K), and to enact Subpart E of Part I of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:17.1, relative to cooperative endeavor agreements; to require the commissioner of administration to provide a system of tracking certain cooperative endeavor agreements; to provide definitions; to provide for review and approval of certain cooperative endeavor agreements by the Joint Legislative Committee on the Budget; and to provide for related matters.

Reported with amendments.

# Page 2 SENATE

June 18, 2004

## 48th DAY'S PROCEEDINGS

### SENATE BILL NO. 338—

BY SENATOR ADLEY (By Request)

#### AN ACT

To amend and reenact R.S. 30:2030(A)(1) and (B) and to enact R.S. 30:2030(D) and (E), relative to environmental quality; to authorize the classification of security sensitive and personal identification information as confidential; and to provide for related matters.

Reported with amendments.

### SENATE BILL NO. 852—

BY SENATORS CHAISSON AND DUPRE

#### AN ACT

To amend and reenact R.S. 14:98 (C)(1) and to enact R.S. 32:413.1 and Code of Criminal Procedure Art. 894 (D)(3), relative to driving privileges; to provide for driver's license suspension in certain cases; to provide exclusions; to provide for a driver violation point system for young drivers; to provide for implementation and maintenance of an electronic database, by cooperative endeavor agreements, for pleas entered relative to operating a vehicle while intoxicated; and to provide for related matters.

Reported with amendments.

### SENATE BILL NO. 118—

BY SENATORS MCPHERSON AND N. GAUTREAUX

#### AN ACT

To amend and reenact the introductory paragraph of R.S. 36:801 and to enact R.S. 36:610(J) and Subpart I-1 of Part I of Chapter 2 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:799.1 through 799.4, relative to the White Lake Property Fund; to create the White Lake Property Fund in the state treasury as a fund within the Louisiana Wildlife and Fisheries Conservation Fund; to provide for deposits of monies into the fund; to provide for investment and uses of monies in the fund; to create the White Lake Property Advisory Board; to provide for its domicile, membership, and duties; to authorize the board to solicit and accept donations; to provide for an effective date; and to provide for related matters.

Reported with amendments.

### SENATE BILL NO. 90—

BY SENATOR BOISSIERE

#### AN ACT

To enact R.S. 11:3363(G), relative to local retirement; to provide with respect to the Firefighters' Pension and Relief Fund for the city of New Orleans; to authorize the New Orleans Firefighters Association, Local 632 and the Firefighters' Pension and Relief Fund for the city of New Orleans to negotiate a cooperative endeavor agreement with the city of New Orleans pursuant to the Supreme Court of Louisiana decision in "NEW ORLEANS FIREFIGHTERS LOCAL 632 ET AL. versus THE CITY OF NEW ORLEANS ET AL.," bearing number 00-C-1921 c/w number 00-C-2041; to provide for an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

### Message from the House

#### CONCURRING IN SENATE CONCURRENT RESOLUTIONS

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

#### SENATE CONCURRENT RESOLUTION NO. 164—

BY SENATORS THEUNISSEN, CAIN, AND MOUNT AND REPRESENTATIVES FLAVIN, FRITH, GEYMAN, E. GUILLORY, JOHNS, AND MORRISH

#### A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Algie Breaux, former Calcasieu Parish police juror and dedicated public servant.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

### Message from the House

#### DISAGREEMENT TO HOUSE BILL

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 793 by Representative Dove, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

### Message from the House

#### DISAGREEMENT TO HOUSE BILL

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 956 by Representative Durand, and

ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1042 by Representative Triche, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1165 by Representative Morrish, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1264 by Representative Daniel, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1271 by Representative DeWitt, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1605 by Representative Daniel, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1657 by Representative Dartez, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1701 by Representative Durand, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 793 by Representative Dove:

Representatives Dove, Ansardi and Gallot.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 956 by Representative Durand:

Representatives Durand, Hebert and Jack Smith.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 978 by Representative Schneider:

Representatives Schneider, Arnold and Curtis.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 981 by Representative Schneider:

Representatives Schneider, Curtis and Doerge.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1042 by Representative Triche:

Representatives Triche, Durand and Frith.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1165 by Representative Morrish:

Representatives Morrish, Quezaire and Ritchie.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1271 by Representative DeWitt:

Representatives DeWitt, Schneider and Alario.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1605 by Representative Daniel:

Representatives Daniel, Lancaster and Robideaux.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1701 by Representative Durand:

Representatives Durand, Katz and McDonald.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Introduction of Senate Resolutions**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 158—**  
BY SENATOR KOSTELKA**A RESOLUTION**

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Herbert L. Breard, Jr.

On motion of Senator Kostelka, the resolution was read by title and adopted.

**Message from the House****ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 300—**  
BY REPRESENTATIVE DURAND**A CONCURRENT RESOLUTION**

To suspend until sixty days after final adjournment of the 2005 Regular Session of the Legislature the provisions of R.S. 28:382.1(A)(2), relative to the development and implementation of a framework for human services delivery.

**HOUSE CONCURRENT RESOLUTION NO. 352—**

BY REPRESENTATIVES M. POWELL, BAYLOR, BRUCE, BURRELL, GLOVER, HOPKINS, MONTGOMERY, JANE SMITH, AND WADDELL AND SENATORS ADLEY, CHEEK, JACKSON, AND MALONE

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of John Thomas Porter of Shreveport.

**HOUSE CONCURRENT RESOLUTION NO. 353—**

BY REPRESENTATIVE SCALISE

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to take such actions as are necessary to amend the Fair Housing Act to allow for the application of local zoning ordinances, land-use regulations, and permitting standards to group homes for recovering substance abusers in residential neighborhoods; and to prohibit any state agency from having any contractual relationship with an entity that operates group homes for recovering substance abusers who do not agree to comply with local zoning ordinances, land-use regulations, and occupancy limits.

**HOUSE CONCURRENT RESOLUTION NO. 354—**

BY REPRESENTATIVE GLOVER

**A CONCURRENT RESOLUTION**

To commend Frank Pitts, former Southern University athlete and National Football League great.

**HOUSE CONCURRENT RESOLUTION NO. 332—**

BY REPRESENTATIVE DORSEY

**A CONCURRENT RESOLUTION**

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the prevalence of cervical cancer and human papillomavirus in women.

**HOUSE CONCURRENT RESOLUTION NO. 289—**

BY REPRESENTATIVE GRAY

**A CONCURRENT RESOLUTION**

To request the House Committee on Health and Welfare and Senate Committee on Health and Welfare to meet and function as a joint committee to study and recommend policy directives for the state of Louisiana regarding issues related to juvenile competency, which may include the implementation of a pilot project to develop a process of competency determination, restoration, and mental health intervention, recommendations for a plan of statewide implementation, and determination of the cost of implementation

**HOUSE CONCURRENT RESOLUTION NO. 281—**

BY REPRESENTATIVE GRAY

**A CONCURRENT RESOLUTION**

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the current law and regulations governing children in foster care in the state, to study the laws, regulations, and procedures which govern social workers charged with monitoring children in foster care, and to make recommendations for changes in the laws, rules, and procedures governing children in foster care in Louisiana.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**House Concurrent Resolutions  
on First Reading**

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

**HOUSE CONCURRENT RESOLUTION NO. 281—**

BY REPRESENTATIVE GRAY

**A CONCURRENT RESOLUTION**

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the current law and regulations governing children in foster care in the state, to study the laws, regulations, and procedures which govern social workers charged with monitoring children in foster care, and to make recommendations for changes in the laws, rules, and procedures governing children in foster care in Louisiana.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 289—**

BY REPRESENTATIVE GRAY

**A CONCURRENT RESOLUTION**

To request the House Committee on Health and Welfare and Senate Committee on Health and Welfare to meet and function as a joint committee to study and recommend policy directives for the state of Louisiana regarding issues related to juvenile competency, which may include the implementation of a pilot project to develop a process of competency determination, restoration, and mental health intervention, recommendations for a plan of statewide implementation, and determination of the cost of implementation

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 300—**

BY REPRESENTATIVE DURAND

**A CONCURRENT RESOLUTION**

To suspend until sixty days after final adjournment of the 2005 Regular Session of the Legislature the provisions of R.S. 28:382.1(A)(2), relative to the development and implementation of a framework for human services delivery.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 332—**

BY REPRESENTATIVE DORSEY

**A CONCURRENT RESOLUTION**

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the prevalence of cervical cancer and human papillomavirus in women.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 352—**

BY REPRESENTATIVES M. POWELL, BAYLOR, BRUCE, BURRELL, GLOVER, HOPKINS, MONTGOMERY, JANE SMITH, AND WADDELL AND SENATORS ADLEY, CHEEK, JACKSON, AND MALONE

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of John Thomas Porter of Shreveport.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 353—**  
BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to amend the Fair Housing Act to allow for the application of local zoning ordinances, land-use regulations, and permitting standards to group homes for recovering substance abusers in residential neighborhoods; and to prohibit any state agency from having any contractual relationship with an entity that operates group homes for recovering substance abusers who do not agree to comply with local zoning ordinances, land-use regulations, and occupancy limits.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 354—**  
BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend Frank Pitts, former Southern University athlete and National Football League great.

The resolution was read by title; lies over under the rules.

**Rules Suspended**

Senator Mount asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 72 from the Committee on Judiciary B.

**SENATE CONCURRENT RESOLUTION NO. 72—**  
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To recognize the Louisiana Choctaw Turtle Tribe as an Indian tribe of Louisiana.

On motion of Senator Mount, the resolution was read by title and withdrawn from the files of the Senate.

**Bagneris Rule**

Senator Adley moved to suspend the rules to pass over controversial Senate and House Bills on Third Reading and Final Passage temporarily with the intention of taking them up later, in their regular order.

Without objection, so ordered.

**Rules Suspended**

Senator Adley asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Bills and Joint Resolutions on  
Third Reading  
and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**HOUSE BILL NO. 20—**

BY REPRESENTATIVES SHEPHERD, ALARIO, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOUIN, BAYLOR, BROOME, BRUCE, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CROWE, CURTIS, DANIEL, DARTEZ, DOERGE, DORSEY, DURAND, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, HUNTER, JACKSON, JEFFERSON, JOHNS, LAFLEUR, MARCHAND, MCDONALD, MONTGOMERY, MORRELL, MURRAY, ODINET, PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, JACK SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, WALKER, AND WINSTON AND SENATORS ADLEY, BAJOE, BOISSIERE, CRAVINS, DUPLESSIS, IRONS, AND JACKSON

AN ACT

To amend and reenact R.S. 1:55(B)(1)(a) and (2), relative to legal holidays observed by the departments of the state; to provide that Dr. Martin Luther King, Jr.'s birthday shall be a state legal holiday; and to provide for related matters.

The bill was read by title. Senator Irons moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Dardenne	Irons	Theunissen
Duplessis	Kostelka	
Total—26		

NAYS

Total—0

ABSENT

Bajoie	Fields	Nevers
Boasso	Hainkel	Romero
Boissiere	Jackson	Ullo
Cravins	Jones	
Dupre	Lentini	
Total—13		

The Chair declared the bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 225—**

BY REPRESENTATIVE FARRAR  
AN ACT

To enact R.S. 11:769, relative to the employee contributions of a member of the Teachers' Retirement System of Louisiana; to guarantee payment of a member's accumulated employee contributions to the member, as survivor benefits, or to the member's estate; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Kostelka
Adley	Ellington	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Total—27		

**NAYS**

Total—0

**ABSENT**

Bajoie	Fields	Lentini
Cravins	Hainkel	Nevers
Dardenne	Jackson	Romero
Dupre	Jones	Ullo
Total—12		

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 344—**

BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:215(A)(3)(introductory paragraph) and (g), 244, 245(A), and 246(introductory paragraph), (1), (4), (5), (6), and (7) and to enact R.S. 22:215(A)(3)(h), 246(10) and (11), and 246.1, relative to health insurance; to provide with respect to pilot health insurance programs established by the Department of Insurance, including LaChoice; to provide for criteria for such pilot programs; and to provide for related matters.

The bill was read by title. Senator Cheek moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Kostelka
Adley	Fontenot	Malone
Amedee	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boissiere	Hainkel	Michot
Cain	Heitmeier	Mount
Cheek	Holden	Schedler
Dardenne	Hollis	Smith
Duplessis	Irons	Theunissen
Total—27		

**NAYS**

Boasso  
Total—1

**ABSENT**

Bajoie	Fields	Nevers
Chaisson	Jackson	Romero
Cravins	Jones	Ullo
Dupre	Lentini	
Total—11		

The Chair declared the bill was passed. The title was read and adopted. Senator Cheek moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 671—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

To enact R.S. 49:259, relative to state funds; to create the Department of Justice Legal Support Fund as a special fund in the state treasury; to provide for the deposit, uses, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Hainkel moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Malone
Adley	Ellington	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Schedler
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Irons	
Dardenne	Kostelka	
Total—28		



## NAYS

Amedee  
Total—1

## ABSENT

Bajoie	Jackson	Romero
Dupre	Jones	Ullo
Fields	Lentini	
Hainkel	Nevers	
Total—10		

The Chair declared the bill was passed. The title was read and adopted. Senator Hainkel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 702—**

BY REPRESENTATIVE DURAND

## AN ACT

To amend and reenact R.S. 39:1514(A)(1)(a) and (b), relative to multi-year contracts; to provide contracts for electronic disbursement services for child support payments to be entered into for five years; to provide that contracts for electronic benefits issuance services may be entered into for periods of up to ten years; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Michot sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Michot Engrossed House Bill No. 702 by Representative Durand

**AMENDMENT NO. 1**

On page 1, line 2, after "and (b)" delete the remainder of the line and insert in lieu thereof the following: "and 1593.1(A), relative to the authority of public entities to execute certain contracts; to"

**AMENDMENT NO. 2**

On page 1, line 5, after "years;" delete the remainder of the line and insert in lieu thereof the following: "to provide for group purchasing contracts of the Louisiana State University Health Sciences Center; to require that certain Louisiana distributors be included in certain group purchasing contracts; to provide for exclusion; to provide for an effective date; and to provide"

**AMENDMENT NO. 3**

On page 2, between lines 3 and 4, insert the following:

"Section 2. R.S. 39:1593.1(A) is hereby amended and reenacted to read as follows:

§1593.1. Group purchasing

A. The Louisiana State University Health Sciences Center may contract with a group purchasing organization through a competitive request for proposals process for medical and laboratory supplies and medical equipment required for the purpose of diagnosis or direct treatment of a patient by a health care provider in a hospital or clinic setting. Any such contract with a group purchasing organization shall contain the requirement that a "qualified distributor" as defined herein be listed as a distributor with the group purchasing organization if

such distributor holds an authorized distributorship with a manufacturer which is covered under the group purchasing contract and if such distributor can provide the same product at the same price or better price with the same delivery as any other distributor of the particular product. For the purposes of this Section, "qualified distributor" means distributor which holds an authorized distributorship with a manufacturer or otherwise represents a manufacturer; is incorporated and domiciled in the state of Louisiana; has three years experience in the area of supplying medical equipment and supplies to health care providers in both the public and private sectors; and is willing to enter into a contractual relationship with the group purchasing organization including but not limited to sales reports and administrative fees, in the same manner as required for all vendors.

\* \* \*

Section 3. The provisions of Section 2 of this Act shall be deemed substantive and shall apply prospectively to any contracts between the Louisiana State University Health Sciences Center and any group purchasing organization resulting from any request for proposal."

**AMENDMENT NO. 4**

On page 2, line 4, change "Section 2." to "Section 4."

**AMENDMENT NO. 5**

On page 2, line 4, between "provisions" and "of this Act" insert the following: "of Section 1"

**AMENDMENT NO. 6**

On page 2, line 7, change "Section 3." to "Section 5."

On motion of Senator Michot, the amendments were adopted.

The bill was read by title. Senator McPherson moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. President	Duplessis	Malone
Adley	Ellington	Marionneaux
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	
Dardenne	Kostelka	
Total—31		

## NAYS

Total—0

## ABSENT

Bajoie	Hainkel	Romero
Dupre	Jones	Ullo

Fields  
Lentini  
Total—8

The Chair declared the amended bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 995—**  
BY REPRESENTATIVE MURRAY  
AN ACT

To enact R.S. 42:808(A)(8), relative to the Office of Group Benefits; to provide for the New Orleans district attorney and employees to be eligible for programs offered by the Office of Group Benefits; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Hainkel moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Kostelka
Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	
Total—32		

**NAYS**

Total—0

**ABSENT**

Bajoie	Jones	Ullo
Fields	Lentini	
Heitmeier	Romero	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Hainkel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1034—**  
BY REPRESENTATIVE DOVE  
AN ACT

To enact R.S. 49:214.8, relative to state funds; to create the Barrier Island Stabilization and Preservation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Jackson
Adley	Dupre	Kostelka
Amedee	Ellington	Malone
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Heitmeier	Schedler
Cheek	Holden	Smith
Cravins	Hollis	Theunissen
Dardenne	Irons	
Total—32		

**NAYS**

Total—0

**ABSENT**

Bajoie	Lentini	Ullo
Fields	Marionneaux	
Jones	Romero	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1194—**  
BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 11:2178.1(A)(2) and to enact R.S. 11:2178(N), relative to the Sheriffs' Pension and Retirement Fund and the repealed Deferred Retirement Option Plan of the fund; to provide for rescission of election to participate; to provide for a rescinding member's return to active status, including the paying of employee contributions; to provide for forfeiture of plan benefits; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Jackson
Adley	Dupre	Kostelka
Amedee	Ellington	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Hainkel	Nevers

Chaisson	Heitmeier	Schedler
Cheek	Holden	Smith
Cravins	Hollis	Theunissen
Dardenne	Irons	
Total—32		

NAYS

Total—0

ABSENT

Bajoie	Lentini	Ullo
Fields	McPherson	
Jones	Romero	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1275—**  
BY REPRESENTATIVE FUTRELL  
AN ACT

To enact R.S. 42:808(A)(8), relative to participation in life, health, or other insurance programs sponsored by the Office of Group Benefits; to expand the definition of eligible employees; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Jackson
Adley	Dupre	Kostelka
Amedee	Ellington	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Heitmeier	Nevers
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Irons	Theunissen
Total—33		

NAYS

Total—0

ABSENT

Bajoie	Jones	Romero
Fields	Lentini	Ullo
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1483—**

BY REPRESENTATIVES ALARIO AND TRICHE  
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Hainkel	Schedler
Chaisson	Heitmeier	Smith
Cheek	Holden	Theunissen
Cravins	Hollis	Ullo
Dardenne	Irons	
Duplessis	Jackson	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Kostelka	Romero
Jones	Lentini	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1485—**

BY REPRESENTATIVES ALARIO AND TRICHE  
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2004-2005; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Jackson sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Jackson to Engrossed House Bill No. 1485 by Representative Alario

AMENDMENT NO. 1

On page 19, line 15, after "First Dist. No. 8--" delete "10 mills/1990" and insert "4 mills/1999"

On motion of Senator Jackson, the amendments were adopted.

The bill was read by title. Senator Heitmeier moved final passage of the amended bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Heitmeier	Smith
Cheek	Holden	Theunissen
Cravins	Hollis	Ullo
Dardenne	Irons	
Duplessis	Jackson	
Total—34		

### NAYS

Total—0

### ABSENT

Bajoie	Lentini	Schedler
Jones	Romero	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## Senator Ellington in the Chair

### HOUSE BILL NO. 1507—

BY REPRESENTATIVE CAZAYOUX

### AN ACT

To amend and reenact R.S. 33:2201(C)(1), relative to financial security of survivors of law enforcement officers; to provide for payments to surviving parents when there is no surviving spouse; and to provide for related matters.

The bill was read by title. Senator Marionneaux moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Ellington	Malone
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Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Heitmeier	Schedler
Cheek	Holden	Smith
Cravins	Hollis	Theunissen
Dardenne	Irons	Ullo
Duplessis	Jackson	
Dupre	Kostelka	
Total—34		

### NAYS

Total—0

### ABSENT

Bajoie	Jones	Romero
Boissiere	Lentini	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1542—

BY REPRESENTATIVES SALTER, BROOME, ALARIO, ARNOLD, AND LANCASTER AND SENATORS HINES, BAJOIE, FIELDS, HEITMEIER, AND JONES

### AN ACT

To appropriate the sum of Fifty-six Million Seven Hundred Eighty-four Thousand Four Hundred Seventy-six and No/100 (\$56,784,476.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Nine Million One Hundred Thirty-seven Thousand Four Hundred Sixty-four and No/100 (\$9,137,464.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide with respect to appropriations to certain entities within the Department of Public Safety and Corrections; and otherwise to provide with respect to the appropriations and allocations herein made.

The bill was read by title. Senator Hines moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Fields	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers

Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Duplessis	Jackson	Ullo
Dupre	Kostelka	
Total—32		

NAYS

Dardenne  
Total—1

ABSENT

Adley	Ellington	Lentini
Bajoie	Jones	Romero
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1628—**

BY REPRESENTATIVES ALARIO AND TRICHE

AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for the funding of said agencies and purposes for the 2003-2004 Fiscal Year; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Irons
Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Barham	Fields	McPherson
Boasso	Fontenot	Michot
Boissiere	Gautreaux, B	Mount
Cain	Gautreaux, N	Nevers
Chaisson	Hainkel	Schedler
Cheek	Heitmeier	Smith
Cravins	Holden	Theunissen
Dardenne	Hollis	Ullo
Total—33		

NAYS

Total—0

ABSENT

Bajoie	Jones	Lentini
Jackson	Kostelka	Romero
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1724 (Substitute for House Bill No. 1214 by Representative Schneider)—**

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:502 and 502.2(A) and (B)(1), relative to the Louisiana State Employees' Retirement System; to provide for eligibility to participate in the optional retirement plan; to provide for transfer from the optional retirement plan to the defined benefit plan; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Amedee	Ellington	Malone
Barham	Fields	Marionneaux
Boasso	Fontenot	McPherson
Boissiere	Gautreaux, B	Michot
Cain	Gautreaux, N	Mount
Chaisson	Heitmeier	Nevers
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Irons	Theunissen
Duplessis	Jackson	Ullo
Total—33		

NAYS

Total—0

ABSENT

Adley	Hainkel	Lentini
Bajoie	Jones	Romero
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 30.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 356.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 606.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 1220.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 1227.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 648.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 904.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 1468.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

### Rules Suspended

Senator Mount asked for and obtained a suspension of the rules for the purpose of taking up at this time.

### House Bills and Joint Resolutions on Third Reading and Final Passage, in Regular Order

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

#### HOUSE BILL NO. 2— BY REPRESENTATIVES HAMMETT, ALARIO, AND THOMPSON AND SENATORS MOUNT AND HEITMEIER AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

#### HOUSE BILL NO. 619— BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES AN ACT

To amend and reenact R.S. 17:3129.6(B), relative to certain state funds; to provide for the use of monies appropriated from the Higher Education Initiatives Fund; to provide for the transfer of certain monies to the Medical Assistance Trust Fund; to provide for an effective date; and to provide for related matters.

### Rules Suspended

Senator Jones asked for a suspension of the rules for the purpose of invoking 5 minute cloture.

Without objection so ordered.

### Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 619 by Representative Alario

#### AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 4 and 5 proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2004.

Senator Dardenne moved adoption of the amendments.

Senator Heitmeier objected.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Duplessis	Michot
Amedee	Dupre	Mount
Barham	Ellington	Romero
Boasso	Fontenot	Schedler
Cain	Gautreaux, B	Smith
Chaisson	Hollis	Theunissen
Cravins	Kostelka	
Dardenne	Malone	
Total—22		

#### NAYS

Mr. President	Gautreaux, N	Marionneaux
Bajoie	Hainkel	McPherson
Boissiere	Heitmeier	Nevers
Cheek	Jackson	Ullo
Fields	Jones	
Total—14		

#### ABSENT

Holden	Irons	Lentini
Total—3		

The Chair declared the amendments were adopted.

### Personal Privilege

Senator Irons asked for and obtained the floor of the Senate on a point of personal privilege, and stated she appeared as absent on the vote on the amendment by Senator Dardenne to House Bill No. 619. She had intended to vote nay on the amendment. She asked that the Official Journal so state.

The bill was read by title. Senator Heitmeier moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount

Boasso	Gautreaux, N	Nevers
Boissiere	Hainkel	Romero
Cain	Heitmeier	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Holden	Lentini
--------	---------

Total—2

The Chair declared the amended bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 1134—

BY REPRESENTATIVES JACKSON AND THOMPSON  
AN ACT

To enact R.S. 33:9033.4, to provide with respect to tax increment financing within the parish of East Baton Rouge; to authorize the parish to issue revenue bonds payable from sales tax increments; to authorize the parish to issue revenue bonds payable from ad valorem tax increments; to authorize the parish to designate sales tax areas; to provide for an effective date; and to provide for related matters.

On motion of Senator Mount, the bill was read by title and returned to the Calendar, subject to call.

## HOUSE BILL NO. 1256—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES

AN ACT

To amend and reenact R.S. 39:1496.1(E)(1) and (3) and Section 2 of Act 989 of the 2003 Regular Session of the Legislature, relative to performance-based energy efficiency contracts; to provide for review and execution of such contracts; to provide for the review and evaluation of such contracts; to provide for the effectiveness of the provisions of the Act; and to provide for related matters.

## Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

## SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Reengrossed House Bill No. 1256 by Representative Alario et al

### AMENDMENT NO. 1

On page 1, line 2, change "(E)(1) and (3)" to "(C) and (E)"

### AMENDMENT NO. 2

On page 1, line 4, after "such contracts;" insert "to provide for energy savings conservation measure information to be submitted;"

### AMENDMENT NO. 3

On page 1, line 8, change "(E)(1) and (3)" to "(C) and (E)"

### AMENDMENT NO. 4

On page 1, between lines 11 and 12, insert the following:

"C.(1) Notwithstanding the requirements of R.S. 39:1514(A), any performance-based energy efficiency contract entered into shall be for a period equal to the lesser of twenty years or the average life of the equipment installed by the performance contractor and shall contain a guarantee of energy savings. The guarantee of energy savings shall, at a minimum, ensure a total annual savings sufficient to fully fund any financing arrangement entered into to fund the contract. In addition, any performance-based energy efficiency contract shall contain the following clause:

"The continuation of this contract is contingent upon the appropriation of funds by the legislature to fulfill the requirements of the contract. If the legislature fails to appropriate sufficient monies to provide for the continuation of the contract, the contract shall terminate on the last day of the fiscal year for which funds have been appropriated. Such termination shall be without penalty or expense to the agency, board, or commission except for payments which have been earned prior to the termination date."

(2) Any contract entered into pursuant to this Section shall include the total units of energy saved, the method, device or financial arrangement to establish a firm amount for the savings, the cost per unit of energy, and, if applicable, the basis for any adjustment in the stated cost for the term of the contract, and for each energy saving measure included in the contract, provide the following:

(a) Detailed scope of work.

(b) Price to be paid by the state agency as the initial cost.

(c) Annual energy cost savings.

(d) Annual maintenance savings including any maintenance and operational savings associated with installation; including but not limited to, services, parts, materials, labor, and equipment.

(e) Annual new maintenance cost including operating expenses added as a result of new equipment installed or services performed by the contractor.

(f) Total annual savings by adding annual energy cost savings to annual maintenance savings minus any annual new maintenance costs.

(3) No payment shall be made by a state agency pursuant to a contract entered into in accordance with this Section, until there is compliance with Paragraph (2). However, Paragraph (2) and this Paragraph shall not invalidate nor require the reissuance of a request for proposal for which notice was given pursuant to this Chapter prior to June 17, 2004.

\* \* \*

### AMENDMENT NO. 5

On page 3, line 23, change "July" to "August"

On motion of Senator Adley, the amendments were adopted.

The bill was read by title. Senator Heitmeier moved final passage of the amended bill.

## ROLL CALL

The roll was called with the following result:

YEAS



Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fontenot	Michot
Barham	Gautreaux, N	Mount
Boasso	Hainkel	Nevers
Boissiere	Heitmeier	Romero
Cain	Holden	Smith
Chaisson	Hollis	Theunissen
Cheek	Jackson	Ullo
Cravins	Jones	
Dardenne	Kostelka	
Total—34		

NAYS

Gautreaux, B	Irons	Schedler
Total—3		

ABSENT

Fields	McPherson
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1482—**

BY REPRESENTATIVES ALARIO, TRICHE, CAZAYOUX, GALLOT, LAFLEUR, MURRAY, SALTER, AND TOWNSEND AND SENATORS CHAISSON, LENTINI, AND MARIONNEAUX

AN ACT

To appropriate funds for Fiscal Year 2004-2005 to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Jones
Adley	Ellington	Kostelka
Amedee	Fields	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Heitmeier	Nevers
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Irons	Theunissen
Duplessis	Jackson	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Lentini	Romero
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1708 (Substitute for House Bill No. 320 by Representative Pinac)—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 34:1073, 1076, 1121, 1122(A)(1) and (2), (C)(1), and (D)(1) and (2), 1124 and 1125, to enact Part VI of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:1129 through 1136, and to repeal R.S. 34:962, 966, 991.1, 1001, 1049, 1055, and 1076.1, relative to river pilots; to provide relative to the Associated Branch Pilots for the Port of Lake Charles; to provide a lien and privilege for nonpayment of pilotage fees; to create a single Pilotage Fee Commission; to provide for appointment and membership; to provide for resolution of disputes; to provide for rulemaking authority; to create the Board of Louisiana River Pilots Review and Oversight; to provide for appointment and membership; to provide for duties and responsibilities; to provide for resolution of complaints; to provide for oversight; to provide for funding; to provide for liability; to provide for judicial review; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Hollis sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hollis to Reengrossed House Bill No. 1708 by Representative Pinac

**AMENDMENT NO. 1**

In Senate Committee Amendment No. 15 proposed by the Senate Committee on Commerce, Consumer Protection, and International Affairs and adopted by the Senate on June 17, 2004, on line 12 of page 3, following "defined" and before "24:51(5)" insert "in"

**AMENDMENT NO. 2**

In Senate Committee Amendment No. 19 proposed by the Senate Committee on Commerce, Consumer Protection, and International Affairs and adopted by the Senate on June 17, 2004, on line 6, following "rule or rules," and before "any one" insert "or"

**AMENDMENT NO. 3**

In Senate Committee Amendment No. 20 proposed by the Senate Committee on Commerce, Consumer Protection, and International Affairs and adopted by the Senate on June 17, 2004, on line 17, change "for the United State" to "from the United States"

**AMENDMENT NO. 4**

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## 48th DAY'S PROCEEDINGS

On page 1, line 2, change "(D)(1) and " to "(D)"; and on line 2, delete "(2)"

### AMENDMENT NO. 5

On page 1, line 15, change "(D)(1) and (2)" to "(D)"

On motion of Senator Hollis, the amendments were adopted.

### **Floor Amendments Sent Up**

Senator Hollis sent up floor amendments which were read.

### **SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hollis to Reengrossed House Bill No. 1708 by Representative Pinac

### AMENDMENT NO. 1

In Senate Committee Amendment No. 4, proposed by the Senate Commerce, Consumer Protection, and International Affairs and adopted by the Senate on July 17, 2004 on page 1, line 9 change "eleven" to "eight"

### AMENDMENT NO. 2

In Senate Committee Amendment No. 6 proposed by the Senate Commerce, Consumer Protection, and International Affairs Committee and adopted by the Senate on June 17, 2004 on page 1, line 17 after "group" change "will" to "shall" and on line 18 after "groups" change "will" to "shall"

### AMENDMENT NO. 3

In Senate Committee Amendment No. 9, proposed by the Senate Commerce, Consumer Protection, and International Affairs Committee and adopted by the Senate on June 17, 2004 on page 2, delete lines 3 through 6 and insert the following:

"Notwithstanding any prohibition contained in Part II of Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950, the pilot fee commission members and alternates appointed pursuant to Paragraphs (B)(1) and (2) shall be eligible to serve on the pilot fee commission and participate in transactions before the commission."

### AMENDMENT NO. 4

In Senate Committee Amendment No. 16, proposed by the Senate Commerce, Consumer Protection, and International Affairs Committee and adopted by the Senate on June 17, 2004 on page 3, line 38 change "will" to "shall" and on line 46 change "will" to "shall" and on line 55 after "commission" change "can" to "shall"

### AMENDMENT NO. 5

In Senate Committee Amendment No. 16, proposed by the Senate Commerce, Consumer Protection, and International Affairs Committee and adopted by the Senate on June 17, 2004 on page 3, at the end of line 41 insert the following: "In the event the commission determines that a party does not have a substantial interest, such decision shall be final as to that party and that party shall have a right to appeal the decision in the same manner as provided for in this Subsection."

### AMENDMENT NO. 6

In Senate Committee Amendment No. 16, proposed by the Senate Commerce, Consumer Protection, and International Affairs

Committee and adopted by the Senate on June 17, 2004 on page 4, line 14 delete "dispute" and insert "request"

### AMENDMENT NO. 7

In Senate Committee Amendment No. 16, proposed by the Senate Commerce, Consumer Protection, and International Affairs Committee and adopted by the Senate on June 17, 2004 on page 4, at the end of line 32 delete "appellate" and at the beginning of line 33 delete "court" and insert "the court of competent jurisdiction"

### AMENDMENT NO. 8

In Senate Committee Amendment No. 16, proposed by the Senate Commerce, Consumer Protection, and International Affairs Committee and adopted by the Senate on June 17, 2004 on page 4, line 48 change "administrative" to "commission"

### AMENDMENT NO. 9

In Senate Committee Amendment No. 25, proposed by the Senate Commerce, Consumer Protection, and International Affairs Committee and adopted by the Senate on June 17, 2004 on page 5, delete lines 32 through 35 and insert the following: "Notwithstanding any prohibition contained in Part II of Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950, the commission members pursuant to Paragraphs (1) through (6) of this Subsection shall be eligible to serve on the commission and participate in transactions before the commission."

On motion of Senator Hollis, the amendments were adopted.

### **Mr. President in the Chair**

The bill was read by title. Senator Hollis moved final passage of the amended bill.

### **ROLL CALL**

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Jones
Adley	Ellington	Kostelka
Amedee	Fields	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Heitmeier	Nevers
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Irons	Theunissen
Duplessis	Jackson	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Bajoie	Lentini	Romero
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Recess**

On motion of Senator Bajoie, the Senate took a recess until 1:00 o'clock P.M.

**After Recess**

The Senate was called to order at 1:00 o'clock P.M. by the Senator Fields.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—39		

**ABSENT**

Total—0

The Senator Fields announced there were 39 Senators present and a quorum.

**Senate Business Resumed**

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 122—  
BY SENATOR ULLO**

**A CONCURRENT RESOLUTION**

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to each parish, city and other local school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on March 12, 2004, and as subsequently revised pursuant to board action on April 15, 2004.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 918 by Representative Baldone, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 695 by Senator Malone:

Representatives Daniel, Ansardi and Hopkins.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1264 by Representative Daniel:

Representatives Daniel, Durand and Beard.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1657 by Representative Dartez:

Representatives Dartez, Lancaster and Smiley.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 918 by Representative Baldone:

Representatives Baldone, Martiny and Townsend.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Appointment of Conference Committee  
on Senate Bill No. 411**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 411: Senators Bajoie, McPherson and Irons.

**Appointment of Conference Committee  
on Senate Bill No. 570**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 570: Senators Chaisson, Lentini and Amedee.

**Appointment of Conference Committee  
on Senate Bill No. 757**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 757: Senators Jones, Kostelka and Cheek.

**Appointment of Conference Committee  
on Senate Bill No. 831**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 831: Senators Ellington, Fontenot and Kostelka.

**Appointment of Conference Committee  
on House Bill No. 1**

The President of the Senate appointed on the Conference Committee on House Bill No. 1 the following members of the Senate: Senators Hines, Heitmeier and Bajoie.

**Appointment of Conference Committee  
on House Bill No. 349**

The President of the Senate appointed on the Conference Committee on House Bill No. 349 the following members of the Senate: Senators Boissiere, Cravins and Cain.

**Appointment of Conference Committee  
on House Bill No. 415**

The President of the Senate appointed on the Conference Committee on House Bill No. 415 the following members of the Senate: Senators B. Gautreaux, McPherson and Romero.

**Appointment of Conference Committee  
on House Bill No. 682**

The President of the Senate appointed on the Conference Committee on House Bill No. 682 the following members of the Senate: Senators Malone, Michot and McPherson.

**Appointment of Conference Committee  
on House Bill No. 793**

The President of the Senate appointed on the Conference Committee on House Bill No. 793 the following members of the Senate: Senators B. Gautreaux, Heitmeier and Lentini.

**Appointment of Conference Committee  
on House Bill No. 849**

The President of the Senate appointed on the Conference Committee on House Bill No. 849 the following members of the Senate: Senators McPherson, Malone and Romero.

**Appointment of Conference Committee  
on House Bill No. 956**

The President of the Senate appointed on the Conference Committee on House Bill No. 956 the following members of the Senate: Senators B. Gautreaux, McPherson and Jackson.

**Appointment of Conference Committee  
on House Bill No. 1042**

The President of the Senate appointed on the Conference Committee on House Bill No. 1042 the following members of the Senate: Senators Boissiere, McPherson and Cravins.

**Appointment of Conference Committee  
on House Bill No. 1165**

The President of the Senate appointed on the Conference Committee on House Bill No. 1165 the following members of the Senate: Senators Theunissen, Nevers and N. Gautreaux.

**Appointment of Conference Committee  
on House Bill No. 1264**

The President of the Senate appointed on the Conference Committee on House Bill No. 1264 the following members of the Senate: Senators Marionneaux, McPherson and Cheek.

**Appointment of Conference Committee  
on House Bill No. 1271**

The President of the Senate appointed on the Conference Committee on House Bill No. 1271 the following members of the Senate: Senators Boissiere, McPherson and Hainkel.

**Appointment of Conference Committee  
on House Bill No. 1516**

The President of the Senate appointed on the Conference Committee on House Bill No. 1516 the following members of the Senate: Senators Dupre, Boasso and B. Gautreaux.

**Appointment of Conference Committee  
on House Bill No. 1560**

The President of the Senate appointed on the Conference Committee on House Bill No. 1560 the following members of the Senate: Senators Schedler, Malone and Amedee.

**Appointment of Conference Committee  
on House Bill No. 1576**

The President of the Senate appointed on the Conference Committee on House Bill No. 1576 the following members of the Senate: Senators Schedler, Lentini and Hollis.

**Appointment of Conference Committee  
on House Bill No. 1605**

The President of the Senate appointed on the Conference Committee on House Bill No. 1605 the following members of the Senate: Senators Dardenne, Marionneaux and Jones.

**Appointment of Conference Committee  
on House Bill No. 1657**

The President of the Senate appointed on the Conference Committee on House Bill No. 1657 the following members of the Senate: Senators Dupre, Marionneaux and Jones.

**Appointment of Conference Committee  
on House Bill No. 1701**

The President of the Senate appointed on the Conference Committee on House Bill No. 1701 the following members of the Senate: Senators McPherson, Holden and N. Gautreaux.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**PASSED SENATE BILLS AND  
JOINT RESOLUTIONS**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 774—  
BY SENATOR HOLLIS**

**AN ACT**

To amend and reenact R.S. 34:29(A)(introductory paragraph), (1), (D), and (E), to enact R.S. 34:29(J), and to repeal R.S. 34:29(B), relative to the Port of New Orleans; to provide relative to the port's borrowing power and debt limitation; to remove certain

limitations; to provide for the port's authority to continue the issuance of bonds and other obligations; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 435—**

BY SENATORS THEUNISSEN AND NEVERS  
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(vi), and (B)(2)(b)(vi) and (c)(vi), relative to the Tuition Opportunity Program for Students; to include certain agriscience courses as a science option in the core curriculum; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 352—**

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:416(A)(3)(c), relative to the Louisiana State Employees' Retirement System; to provide with respect to reemployment of retired members; to provide with respect to earnings limitations, repayment of excess earnings, and notifications by the employing agency; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**Rules Suspended**

Senator Dupre asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions on  
Third Reading and Final Passage,  
Subject to Call**

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

**Called from the Calendar**

Senator Dupre asked that Senate Bill No. 171 be called from the Calendar at this time.

**SENATE BILL NO. 171—**

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 47:1832 (A), relative to the tax commission; to provide for the membership of such commission; and to provide for related matters.

On motion of Senator Dupre, the bill was read by title and withdrawn from the files of the Senate.

**Rules Suspended**

Senator Fontenot asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Bills and Joint Resolutions on  
Third Reading and Final Passage,  
Subject to Call**

The following House Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

**Called from the Calendar**

Senator Fontenot asked that House Bill No. 846 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 846—**

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 30:2418(G), (H)(3) and (4), (I), (J), and (O)(3), relative to waste tires; to provide for fees collected on the sale of tires; and to provide for related matters.

**Floor Amendments Sent Up**

Senator McPherson sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 846 by Representative Morrish

**AMENDMENT NO. 1**

On page 1, line 3, between "sale of" and "tires" insert "replacement"

**AMENDMENT NO. 2**

On page 1, line 12, between "sale of" and "tires" insert "replacement"

**AMENDMENT NO. 3**

On page 2, line 9, between "sale of" and "tires" insert "replacement"

**AMENDMENT NO. 4**

On page 2, line 18, between "sale of" and "tires" insert "replacement"

**AMENDMENT NO. 5**

On page 2, line 20, between "sale of" and "tires" insert "replacement"

Senator McPherson moved adoption of the amendments.

Senator Marionneaux objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Dardenne	Heitmeier
Barham	Dupre	Holden
Boasso	Ellington	Jackson
Cain	Fields	McPherson
Cheek	Gautreaux, B	Smith
Cravins	Hainkel	Ullo
Total—18		

NAYS

Adley	Gautreaux, N	Michot
Amedee	Hollis	Mount
Boissiere	Irons	Romero
Chaisson	Lentini	Schedler
Duplessis	Malone	Theunissen
Fontenot	Marionneaux	
Total—17		

ABSENT

Mr. President	Kostelka
Jones	Nevers
Total—4	

The Chair declared the amendments were adopted.

### Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 846 by Representative Morrish

#### AMENDMENT NO. 1

On page 2, line 25 after "Section," delete "including but not limited to the sale of" and insert "for the sale of tires sold at wholesale and"

#### AMENDMENT NO. 2

On page 2, at the end of line 26 insert "The secretary may provide for other exemptions only if the legislative fiscal office certifies in connection with the department's rulemaking authority, including legislative oversight as provided in R.S. 30:2413(A)(8), that such exemptions will not adversely impact the ability of the secretary to satisfy all obligations of the fund."

#### AMENDMENT NO. 3

On page 3, between lines 4 and 5 insert the following:

"(3)(a) In the event the balance of the fund is insufficient to meet the obligations to waste tire processors provided for above, the department, after meeting all payments required by law, shall pay any undisputed amounts in a pro-rata share to waste tire processors having a standard permit.

(b) In the event the fund has a surplus after meeting all obligations of the fund for the month, including any payments required by law, such surplus shall be distributed in a pro-rata share to those waste tire processors having a standard permit for whom there are unpaid obligations of the fund, excluding any disputed amounts. Such surplus shall be paid within fifteen days after the end of the month in which the surplus arose.

(4) The secretary shall not obligate the department to make payments from the fund to any waste tire processor who did not receive payments from the fund prior to March 1, 2004, or make payments from the fund to any waste tire processor who did not receive payments from the fund prior to March 1, 2004, until payments have been made from the fund to waste tire processors, as provided for in Subsection I.(3)(b), for a period of twelve consecutive months, or until all undisputed obligations owed to waste tire processors have been paid in full, whichever occurs first.

(5) If litigation relating to fund payments in dispute prior to March 1, 2004, is resolved through final judgement or settlement, the secretary shall pay from the fund the portion of such final judgment or settlement which represents previously disputed fund payments within one hundred eighty days of the judgement or settlement. This Subsection shall not be construed to limit or condition the right of the judgment creditor or obligee under the settlement agreement to obtain payment in satisfaction of the judgment or settlement from any source authorized by law."

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator Fontenot moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Lentini	
Total—34		

#### NAYS

Cain
Total—1

#### ABSENT

Mr. President	Kostelka
Heitmeier	Nevers
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Called from the Calendar

Senator Barham asked that House Bill No. 984 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 984—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1423(C), relative to the Louisiana Assessors' Retirement Fund; to provide relative to retirement options; to provide relative to option reductions; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Barham moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Dupre	Kostelka
Amedee	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Mr. President	Heitmeier	Nevers
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Boissiere asked that House Bill No. 938 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 938—**

BY REPRESENTATIVE TUCKER

AN ACT

To enact R.S. 11:266.1(E), relative to the state retirement systems; to provide relative to investment requirements; to provide for reporting; to provide for an effective date; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Boissiere sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 938 by Representative Tucker

**AMENDMENT NO. 1**

On page 1, line 12, after "shall submit" insert "the following progress reports detailing the system's compliance with this Section:

1. Annual report ending June 30, 2004 by July 30, 2004

2. Quarterly report beginning July 1, 2004 through June 30,

2005. Quarterly reports shall be submitted thirty days after the end of each quarter.

3. Annual reports shall be submitted thirty days after June 30, 2005."

**AMENDMENT NO. 2**

On page 1, line 13, after "retirement" insert a period "." and delete the remainder of the line

**AMENDMENT NO. 3**

On page 1, delete line 14 in its entirety.

On motion of Senator Boissiere, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

**NAYS**

Total—0

**ABSENT**

Mr. President
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.



**Called from the Calendar**

Senator Duplessis asked that House Bill No. 1041 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1041—**

BY REPRESENTATIVES TUCKER, ARNOLD, BAYLOR, FUTRELL, KATZ, LAMBERT, MARCHAND, AND RITCHIE

**AN ACT**

To enact R.S. 33:4734 and 4780.51, relative to municipal and parish zoning; to provide for advance notice of zoning actions to certain military installations; and to provide for related matters.

The bill was read by title. Senator Duplessis moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Mr. President	Jackson
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Boissiere asked that House Bill No. 1532 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1532—**

BY REPRESENTATIVE TUCKER

**AN ACT**

To direct the Department of Transportation and Development to limit certain access along a state highway; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

**NAYS**

Total—0

**ABSENT**

Mr. President
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Jones asked that House Bill No. 430 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 430—**

BY REPRESENTATIVE MURRAY

**AN ACT**

To amend and reenact R.S. 18:1505.2(L)(2), relative to prohibitions against campaign contributions loans, and transfers of funds by certain persons substantially interested in the gaming industry in this state; to provide that such prohibitions do not apply to contributions, loans, or transfers of funds to certain accounts of political committees of recognized political parties organized under laws of another jurisdiction; to provide limitations; and to provide for related matters.

The bill was read by title. Senator Jones moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Dupre	Irons
Boissiere	Fields	Jackson

Chaisson	Gautreaux, B	Jones
Cravins	Heitmeier	Marionneaux
Duplessis	Holden	Ullo
Total—15		

NAYS

Adley	Hainkel	Mount
Barham	Kostelka	Romero
Boasso	Lentini	Schedler
Cain	Malone	Smith
Ellington	McPherson	Theunissen
Gautreaux, N	Michot	
Total—17		

ABSENT

Mr. President	Dardenne	Nevers
Amedee	Fontenot	
Cheek	Hollis	
Total—7		

The Chair declared the bill failed to pass. Senator Mount moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

### Called from the Calendar

Senator B. Gautreaux asked that House Bill No. 1579 be called from the Calendar at this time for its final passage.

#### HOUSE BILL NO. 1579— BY REPRESENTATIVE JACK SMITH AN ACT

To enact R.S. 26:71.1(4)(d) and R.S. 27:306(A)(8), relative to the operation of video draw poker devices at certain golf courses; to provide with respect to the licensing requirements for the operation of video draw poker devices at certain golf courses; to provide relative to the sale of alcoholic beverages at certain golf courses; to provide for the issuance of a conditional alcoholic beverage permit to certain golf courses; to provide for the continued operation of video draw poker devices at certain golf courses; and to provide for related matters.

The bill was read by title. Senator B. Gautreaux moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Adley	Duplessis	Jackson
Bajoie	Dupre	Jones
Boissiere	Fields	Marionneaux
Chaisson	Gautreaux, B	Romero
Cheek	Hainkel	
Cravins	Holden	
Total—16		

NAYS

Amedee	Gautreaux, N	McPherson
Barham	Hollis	Michot

Boasso	Irons	Mount
Cain	Kostelka	Schedler
Dardenne	Lentini	Smith
Ellington	Malone	Theunissen
Total—18		

ABSENT

Mr. President	Heitmeier	Ullo
Fontenot	Nevers	
Total—5		

The Chair declared the bill failed to pass. Senator Mount moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

### Called from the Calendar

Senator Amedee asked that House Bill No. 108 be called from the Calendar at this time for its final passage.

#### HOUSE BILL NO. 108— BY REPRESENTATIVE FAUCHEUX AN ACT

To amend and reenact Code of Civil Procedure Article 2412(A), relative to garnishments; to provide for notice of garnishment to the judgment debtor; and to provide for related matters.

The bill was read by title. Senator Amedee moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Fontenot	Malone
Bajoie	Gautreaux, B	Marionneaux
Boissiere	Gautreaux, N	McPherson
Cain	Heitmeier	Mount
Cheek	Holden	Romero
Cravins	Hollis	Schedler
Duplessis	Irons	Theunissen
Dupre	Jackson	Ullo
Ellington	Jones	
Fields	Lentini	
Total—28		

NAYS

Barham	Dardenne	Michot
Boasso	Kostelka	Smith
Total—6		

ABSENT

Mr. President	Chaisson	Nevers
Adley	Hainkel	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Amedee moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Chaisson asked that House Bill No. 161 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 161—**

BY REPRESENTATIVE FAUCHEUX

**AN ACT**

To enact R.S. 13:2588, relative to justices of the peace; to authorize justices of the peace to charge a fee for performing marriage ceremonies; to establish a maximum fee which justices of the peace may charge for performing marriage ceremonies; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

**NAYS**

Hainkel  
Total—1

**ABSENT**

Mr. President  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Chaisson asked that House Bill No. 169 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 169—**

BY REPRESENTATIVE FAUCHEUX

**AN ACT**

To amend and reenact Code of Civil Procedure Article 1235.1, relative to service of process on persons; to provide procedures

for service on incarcerated persons; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

**NAYS**

Total—0

**ABSENT**

Mr. President  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Chaisson asked that House Bill No. 196 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 196—**

BY REPRESENTATIVE MARTINY

**AN ACT**

To amend and reenact R.S. 27:306(A)(5)(b) and to repeal R.S. 27:306(A)(5)(d), relative to the Video Draw Poker Devices Control Law; to authorize the leasing or subleasing of fuel facilities at qualified truck stop facilities; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Ullo sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ullo to Engrossed House Bill No. 196 by Representative Martiny

**AMENDMENT NO. 1**

On page 1, line 2, after "To" insert "enact R.S. 27:306(C)(2)(d) and"

## AMENDMENT NO. 2

On page 1, line 3, after "Law;" insert "to provide locations of truck stops;"

## AMENDMENT NO. 3

On page 1, line 6, after "Section 1." insert "R.S. 27:306(C)(2)(d) is hereby enacted and" and change "is" to "are"

## AMENDMENT NO. 4

On page 2, between lines 7 and 8 insert the following:

	“*	*	*
C.	*	*	*
(2)(a)	*	*	*
	*	*	*

(d) Notwithstanding any provision of law to the contrary, no license shall be granted to any truck stop facility located in a parish with a population between 450,000 and 470,000 according to the latest federal consensus within 500 feet of a residential zone property."

Senator Ullo moved adoption of the amendments.

Senator Chaisson objected.

## **ROLL CALL**

The roll was called with the following result:

### **YEAS**

Amedee	Ellington	Malone
Barham	Fontenot	Michot
Boasso	Hainkel	Romero
Boissiere	Hollis	Schedler
Cain	Irons	Smith
Cravins	Jones	Ullo
Dardenne	Kostelka	
Dupre	Lentini	
Total—22		

### **NAYS**

Adley	Gautreaux, B	Marionneaux
Bajoie	Gautreaux, N	McPherson
Chaisson	Heitmeier	Mount
Cheek	Holden	Theunissen
Fields	Jackson	
Total—14		

### **ABSENT**

Mr. President	Duplessis	Nevers
Total—3		

The Chair declared the amendments were adopted.

On motion of Senator Chaisson, the amended bill was read by title and returned to the Calendar, subject to call.

## **Called from the Calendar**

Senator Heitmeier asked that House Bill No. 1550 be called from the Calendar at this time for its final passage.

## **HOUSE BILL NO. 1550—**

BY REPRESENTATIVE HEATON

## **AN ACT**

To enact R.S. 32:403.5, relative to drivers' licenses; to provide for the issuance of drivers' licenses to persons using bioptic telescopic lenses; to provide conditions and limitations for licensing; to provide driving restrictions; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

## **ROLL CALL**

The roll was called with the following result:

### **YEAS**

Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Dupre	Kostelka	
Ellington	Lentini	
Total—37		

### **NAYS**

Total—0

### **ABSENT**

Mr. President	Duplessis
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## **Rules Suspended**

Senator Marionneaux asked for and obtained a suspension of the rules for the purpose of invoking 3 minute cloture.

## **Called from the Calendar**

Senator Duplessis asked that House Bill No. 66 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 66—**  
**BY REPRESENTATIVE MURRAY**  
**AN ACT**

To amend and reenact R.S. 13:1312(D), relative to the Judicial Expense Fund of the Civil District Court for the Parish of Orleans; to provide for the housing of the Juvenile Court in the new courthouse or at a separate facility; to delete the prohibition against raising additional fees and the requirement that additional funds be derived from other noncourt cost-related sources for the costs and planning of the new courthouse; to provide that the Joint Legislative Committee on the Budget shall review, rather than approve, the plans and costs of the new courthouse; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Hainkel sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hainkel to Engrossed House Bill No. 66 by Representative Murray

**AMENDMENT NO. 1**

On page 2, after line 16 insert the following:

“(4) Any increase in fees or cost shall be subject to approval by the Legislature.”

Senator Hainkel moved adoption of the amendments.

Senator Duplessis objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Nevers
Barham	Gautreaux, B	Romero
Boasso	Hainkel	Smith
Cain	Hollis	Theunissen
Dardenne	Kostelka	Ullo
Dupre	Malone	
Ellington	Mount	
Total—19		

**NAYS**

Amedee	Duplessis	Jackson
Bajoie	Fields	Jones
Boissiere	Gautreaux, N	Marionneaux
Chaisson	Heitmeier	Michot
Cheek	Holden	
Cravins	Irons	
Total—16		

**ABSENT**

Mr. President	McPherson
Lentini	Schedler
Total—4	

The Chair declared the amendments were adopted.

**Floor Amendments Sent Up**

Senator Duplessis sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Duplessis to Engrossed House Bill No. 66 by Representative Murray

**AMENDMENT NO. 1**

On page 1, delete lines 7 and 8 and insert “and to provide for related”

**AMENDMENT NO. 2**

On page 2, delete lines 12 through 14 and on line 15, change “(3)” to “(2)”

On motion of Senator Duplessis, the amendments were adopted.

The bill was read by title. Senator Duplessis moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Amedee	Duplessis	Jones
Bajoie	Dupre	Kostelka
Boasso	Fields	Lentini
Boissiere	Gautreaux, B	Marionneaux
Cain	Hainkel	McPherson
Chaisson	Heitmeier	Mount
Cheek	Holden	Theunissen
Cravins	Irons	Ullo
Dardenne	Jackson	
Total—26		

**NAYS**

Adley	Malone	Schedler
Barham	Michot	Smith
Ellington	Nevers	
Hollis	Romero	
Total—10		

**ABSENT**

Mr. President	Fontenot	Gautreaux, N
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Rules Suspended**

Senator Heitmeier asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1413 from the Committee on Finance.

**HOUSE BILL NO. 1413—**

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 16:51(A)(1), (2), (4), (7), (16), (17), (19), (22), (23), (24), (26), (32), (36), and (41), relative to assistant district attorneys; to provide for additional assistant district attorneys for certain judicial districts; to provide for effectiveness; and to provide for related matters.

Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**House Bills and Joint Resolutions on  
Third Reading and Final Passage,  
Subject to Call, Resumed**

The following House Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

**Called from the Calendar**

Senator Ellington asked that House Bill No. 903 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 903—**

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 32:1311(D)(introductory paragraph), (1)(introductory paragraph) and (a), and (2)(a), relative to vehicle inspections; to provide for exemptions from inspection requirements; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Ellington sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ellington to Engrossed House Bill No. 903 by Representative Quezaire

**AMENDMENT NO. 1**

Delete Senate Committee Amendment Nos. 1, 2, 3, and 4 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 4, 2004.

**AMENDMENT NO. 2**

On page 1, line 2, after "R.S. 32:1311(D)" delete the remainder of the line and on line 3 delete "and (a), and (2)(a)"

**AMENDMENT NO. 3**

On page 1, line 6, after "R.S. 32:1311(D)" delete the remainder of the line and on line 7 delete "(a), and (2)(a) are" and insert "is"

**AMENDMENT NO. 4**

On page 1, delete lines 10 through 20 and on page 2, delete lines 1 through 8 and insert as follows:

"D.(1) Commercial motor ~~vehicles~~ vehicle truck tractors, trailers, and semitrailers in interstate ~~and intrastate~~ commerce which

are subject to the Federal Motor Carrier Safety Regulations shall be exempt from the inspection requirements of this Chapter ~~provided, however, that these inspection requirements are determined by the Federal Highway Administration as not being as effective or comparable to the Periodic Motor Vehicle Inspection requisites contained in the Code of Federal Regulations (49 CFR Part 396); provided that these commercial motor vehicles shall comply with the requirements of the Code of Federal Regulations (49 CFR 396.17) requiring periodic and annual inspections of commercial motor vehicles.~~

(2) As an alternate means of compliance with the requirements of 49 CFR, the owner or operator of a commercial motor vehicle truck tractor may opt to obtain a Louisiana commercial motor vehicle inspection certificate which satisfies the requirements of 49 CFR 396.17. A trailer or semitrailer being used in combination with a truck tractor meeting such exemption may opt to obtain a Louisiana commercial motor vehicle inspection certificate which satisfies the requirements of 49 CFR 396.17.

(3) As used in this Subsection, "commercial motor vehicle" means any self-propelled truck tractor or towed vehicle which is used on public highways ~~in one of the following circumstances:~~

(1) ~~The vehicle is used to transport passengers or property in interstate commerce, has been issued an apportioned plate through the International Registration Plan, and~~

(a) Has a gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) of 10,001 pounds or more; or

(b) ~~Is designed to transport more than fifteen passengers including the driver; or~~

(c) ~~Is used in the transportation of hazardous materials in a quantity requiring placarding under regulations issued by the Secretary under the Hazardous Transportation Act (49 USC app. 1801-1813).~~

(2) ~~The vehicle is used to transport passengers or property in intrastate commerce, and~~

(a) ~~Has a gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) of 20,001 pounds or more; or~~

(b) ~~Is designed to transport more than fifteen passengers, including the driver; or~~

(c) ~~Is used in the transportation of hazardous materials and has a gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) of 10,001 pounds or more.~~

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Ellington, the amendments were adopted.

The bill was read by title. Senator Ellington moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley

Ellington

Malone

Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Mr. President	Hainkel
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Privilege Report of the Legislative Bureau

June 18, 2004

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

#### HOUSE BILL NO. 1413—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 16:51(A)(1), (2), (4), (7), (16), (17), (19), (22), (23), (24), (26), (32), (36), and (41), relative to assistant district attorneys; to provide for additional assistant district attorneys for certain judicial districts; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

### Adoption of Legislative Bureau Report

On motion of Senator Lentini, the Bills and Joint Resolutions were read by title and passed to a third reading.

### House Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call, Resumed

The following House Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

#### Called from the Calendar

Senator Boissiere asked that House Bill No. 1514 be called from the Calendar at this time for its final passage.

#### HOUSE BILL NO. 1514—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:1410(I) and to enact R.S. 22:1401.1, relative to rates for commercial lines of property and casualty insurance; to provide for file and use; to provide for the office of property and casualty; to provide for procedures; to provide for rules and regulations; and to provide for related matters.

#### Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 1514 by Representative Karen Carter

#### AMENDMENT NO. 1

Delete Senate Floor Amendments 1 through 4 proposed by Senator Fields and adopted by the Senate on June 11, 2004.

Senator Hainkel moved adoption of the amendments.

Senator N. Gautreaux objected.

#### ROLL CALL

The roll was called with the following result:

#### YEAS

Barham	Fontenot	Nevers
Boasso	Hainkel	Romero
Boissiere	Hollis	Schedler
Cain	Kostelka	Smith
Chaisson	Lentini	Theunissen
Dardenne	Malone	Ullo
Dupre	Michot	
Ellington	Mount	
Total—22		

#### NAYS

Adeley	Fields	Jackson
Amedee	Gautreaux, B	Jones
Bajoie	Gautreaux, N	Marionneaux
Cravins	Heitmeier	McPherson
Duplessis	Holden	

Total—14

ABSENT

Mr. President                      Cheek                      Irons

Total—3

The Chair declared the amendments were adopted.

### Floor Amendments Sent Up

Senator N. Gautreaux sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Reengrossed House Bill No. 1514 by Representative Karen Carter

#### AMENDMENT NO. 1

On page 2, at the end of line 5 insert the following:

“However, notwithstanding any other provision of this Section to the contrary, the office of property and causality shall not approve an annual increase greater than ten percent.”

Senator N. Gautreaux moved adoption of the amendments.

Senator Boissiere objected.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fields	Jones
Amedee	Gautreaux, B	Lentini
Cain	Gautreaux, N	McPherson
Cravins	Heitmeier	Nevers
Duplessis	Holden	
Dupre	Jackson	
Total—16		

#### NAYS

Bajoie	Hainkel	Romero
Barham	Hollis	Schedler
Boasso	Kostelka	Smith
Boissiere	Malone	Theunissen
Cheek	Marionneaux	Ullo
Dardenne	Michot	
Ellington	Mount	
Total—19		

#### ABSENT

Mr. President	Fontenot
Chaisson	Irons
Total—4	

The Chair declared the amendments were rejected.

### Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Cravins and Fields to Engrossed House Bill No. 1514 by Representative Karen Carter

#### AMENDMENT NO. 1

On page 2, at the end of line 5, insert the following:

“However, notwithstanding any other provisions of this Section to the contrary, policy holders with a credit score of 600 shall automatically receive a ten percent reduction in their insurance rates.”

Senator Cravins moved adoption of the amendments.

Senator Boissiere objected.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Amedee	Gautreaux, B	Jones
Bajoie	Gautreaux, N	Marionneaux
Cravins	Holden	McPherson
Duplessis	Irons	Mount
Fields	Jackson	
Total—14		

#### NAYS

Adley	Dupre	Malone
Barham	Ellington	Michot
Boasso	Fontenot	Romero
Boissiere	Hainkel	Schedler
Cain	Heitmeier	Smith
Chaisson	Hollis	Theunissen
Cheek	Kostelka	Ullo
Dardenne	Lentini	
Total—23		

#### ABSENT

Mr. President	Nevers
Total—2	

The Chair declared the amendments were rejected.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Barham	Hainkel	Nevers
Boasso	Hollis	Romero
Boissiere	Irons	Schedler



Chaisson  
Cheek  
Dardenne  
Ellington  
Fontenot  
Total—22

Jackson  
Kostelka  
Malone  
Michot  
Mount  
Smith  
Theunissen  
Ullo

NAYS

Adley  
Amedee  
Bajoie  
Cain  
Cravins  
Total—15

Duplessis  
Dupre  
Fields  
Gautreaux, B  
Gautreaux, N  
Heitmeier  
Holden  
Jones  
Lentini  
Marionneaux

ABSENT

Mr. President  
Total—2

McPherson

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Called from the Calendar

Senator Boissiere asked that House Bill No. 643 be called from the Calendar at this time for its final passage.

#### HOUSE BILL NO. 643—

BY REPRESENTATIVES HEBERT AND CROWE  
AN ACT

To enact R.S. 22:14(E), relative to life insurance policies; to provide for a database; to provide for exceptions; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Adley  
Amedee  
Bajoie  
Barham  
Boasso  
Boissiere  
Cain  
Chaisson  
Cheek  
Dardenne  
Duplessis  
Total—31

Dupre  
Ellington  
Fontenot  
Gautreaux, N  
Heitmeier  
Holden  
Hollis  
Irons  
Jackson  
Kostelka  
Malone  
McPherson  
Michot  
Mount  
Nevers  
Romero  
Schedler  
Smith  
Theunissen  
Ullo

NAYS

Fields  
Gautreaux, B

Hainkel  
Marionneaux  
Lentini

Total—5

ABSENT

Mr. President  
Total—3

Cravins  
Jones

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Called from the Calendar

Senator Boissiere asked that House Bill No. 1681 be called from the Calendar at this time for its final passage.

#### HOUSE BILL NO. 1618—

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 22:192(A)(4), 1142(A)(7) and (18), 1241(B), 1241.1(C), 1760(A)(3), and 3044(B)(6), relative to licensing requirements; to provide for criminal convictions; to provide for denial, suspension, or revocation of licenses; to provide for certificates of authority; to provide for consultants; to provide for statements; and to provide for related matters.

### Floor Amendments Sent Up

Senator Kostelka sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Kostelka to Reengrossed House Bill No. 1618 by Representative Fauchaux

#### AMENDMENT NO. 1

On page 1, line 17, after "felony" insert "or to a misdemeanor"

#### AMENDMENT NO. 2

On page 2, line 10, after "charge" insert ", or conviction of any misdemeanor"

#### AMENDMENT NO. 3

On page 3, line 12, after "employee," insert "consultant,"

On motion of Senator Kostelka, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Adley  
Amedee  
Bajoie  
Barham  
Boasso  
Cain

Ellington  
Fields  
Fontenot  
Gautreaux, B  
Gautreaux, N  
Hainkel

Lentini  
Malone  
Marionneaux  
McPherson  
Michot  
Mount

Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Boissiere	Heitmeier
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Called from the Calendar

Senator Boissiere asked that House Bill No. 441 be called from the Calendar at this time for its final passage.

#### HOUSE BILL NO. 441—

BY REPRESENTATIVE GALLOT  
AN ACT

To amend and reenact R.S. 42:284(B), relative to local finance; to provide relative to the requirement that certain parish officials and entities submit expenditure reports to the parish governing authority and clerk of court; to exempt parish sheriffs from certain requirements; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Holden	Nevers
Chaisson	Irons	Romero
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Duplessis	Kostelka	
Dupre	Malone	
Total—28		

NAYS

Barham	Ellington	Lentini
Boasso	Hainkel	Schedler
Dardenne	Hollis	Smith
Total—9		

ABSENT

Mr. President	Heitmeier
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Senator Bajoie in the Chair

### Called from the Calendar

Senator Dardenne asked that House Bill No. 492 be called from the Calendar at this time for its final passage.

#### HOUSE BILL NO. 492—

BY REPRESENTATIVE WRIGHT  
AN ACT

To amend and reenact R.S. 44:31(B) and 32(C)(1)(d), relative to public records; to allow persons under the age of majority to receive a copy or reproduction of a public record; and to provide for related matters.

### Floor Amendments Sent Up

Senator Jackson sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Engrossed House Bill No. 492 by Representative Wright

#### AMENDMENT NO. 1

On page 2, after line 10, insert the following:

“(E) After a citizen complaint against a police officer has been investigated and a determination has been made, the name of the officer involved, the citizen making the complaint, a summary of investigatory findings and disciplinary action, demotion or dismissal and other outcome shall become a public record.”

### Motion

Senator Hollis moved to table the amendment.

Senator Jackson objected.

### ROLL CALL

The roll was called with the following result:

YEAS

Barham	Heitmeier	Mount
Boasso	Holden	Nevers
Cheek	Hollis	Romero
Dardenne	Kostelka	Schedler
Dupre	Lentini	Smith
Ellington	Malone	Theunissen
Gautreaux, B	Marionneaux	Ullo
Hainkel	Michot	
Total—23		

NAYS

Adley	Cravins	Gautreaux, N
Amedee	Duplessis	Irons
Boissiere	Fields	Jackson
Chaisson	Fontenot	
Total—11		

ABSENT

Mr. President	Cain	McPherson
Bajoie	Jones	
Total—5		

The Chair declared the amendment was tabled.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Heitmeier	Nevers
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Kostelka	
Duplessis	Lentini	
Total—37		

#### NAYS

Hainkel
Total—1

ABSENT

Fontenot
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Personal Privilege

Senator Fontenot asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the amendment by Senator Jackson to House Bill No. 492. He voted nay on the amendment and had intended to vote yea. He asked that the Official Journal so state.

### Personal Privilege

Senator Amedee asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on

the amendment by Senator Jackson to House Bill No. 492. He voted nay on the amendment and had intended to vote yea. He asked that the Official Journal so state.

### Mr. President in the Chair

### Called from the Calendar

Senator Mount asked that House Bill No. 2 be called from the Calendar at this time for its final passage.

#### HOUSE BILL NO. 2—

BY REPRESENTATIVES HAMMETT, ALARIO, AND THOMPSON  
AND SENATORS MOUNT AND HEITMEIER  
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

### Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Re-reengrossed House Bill No. 2 by Representative Hammett

#### AMENDMENT NO. 1

In Senate Committee Amendment No. 1, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 1, line 11, change "Priority 1" to "Priority 2"

#### AMENDMENT NO. 2

Delete Senate Committee Amendment No. 7, proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2004.

#### AMENDMENT NO. 3

Delete Senate Committee Amendment No. 8, proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2004.

#### AMENDMENT NO. 4

In Senate Committee Amendment No. 19, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 4, delete line 25, and insert the following:

"On page 19, delete lines 41 through 43, and insert the following:

"Priority 1

\$ 3,700,000"

#### AMENDMENT NO. 5

Delete Senate Committee Amendment No. 28, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004.

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### AMENDMENT NO. 6

In Senate Committee Amendment No. 31, proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2004, on page 8, line 21, change "**50/J06**" to "**50/J05**"

### AMENDMENT NO. 7

In Senate Committee Amendment No. 32, proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2004, on page 8, line 41, change "\$100,000" to "\$100,000"

### AMENDMENT NO. 8

In Senate Committee Amendment No. 35, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 7, delete line 14, and insert the following:

"On page 20, after line 50, insert the following:"

### AMENDMENT NO. 9

In Senate Committee Amendment No. 35, proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2004, on page 9, line 7, change "(474)" to "( )"

### AMENDMENT NO. 11

In Senate Committee Amendment No. 35, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004:

"On page 7, between lines 18 and 19, insert:

"Payable from State General Fund (Direct)	
Nonrecurring Revenues	\$50,000"

On page 7, line 22, change "\$700,000" to "\$750,000"

### AMENDMENT NO. 12

Delete Senate Committee Amendment No. 59, proposed by the Senate Committee on Revenue and Fiscal Affairs on June 16, 2004.

### AMENDMENT NO. 13

In Senate Committee Amendment No. 69, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 12, line 52, change "Priority 3" to "Priority 5"

### AMENDMENT NO. 14

Delete Senate Committee Amendment No. 74, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004

### AMENDMENT NO. 15

In Senate Committee Amendment No. 97, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 18, delete line 38, and insert "(\$150,000 Local Match)"

### AMENDMENT NO. 16

In Senate Committee Amendment No. 106, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 20, delete line 40, and insert "(\$50,000 In-Kind and/or Local Match)"

### AMENDMENT NO. 17

In Senate Committee Amendment No. 112, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 22, line 14, change "390,000" to "190,000"

### AMENDMENT NO. 18

In Senate Committee Amendment No. 151, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 30, line 19, after "45" change "and" to "through"

### AMENDMENT NO. 19

In Senate Committee Amendment No. 178, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 35, at the beginning of line 44, insert an open parentheses "("

### AMENDMENT NO. 20

In Senate Committee Amendment No. 186, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 37, delete line 19, and insert the following:

"Priority 2	\$100,000
Priority 3	<u>\$400,000</u>
Total	<u>\$500,000"</u>

### AMENDMENT NO. 21

Delete Senate Committee Amendment No. 214, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004

### AMENDMENT NO. 22

In Senate Committee Amendment No. 219, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 44, delete line 29, and insert "On page 87, between lines 1 and 2, insert the following: "

### AMENDMENT NO. 23

In Senate Committee Amendment No. 219, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 44, delete line 31, and insert ""

### AMENDMENT NO. 24

In Senate Committee Amendment No. 220, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 44, delete line 47, and insert ""

### AMENDMENT NO. 25

In Senate Committee Amendment No. 220, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 44, line 51, after "Match" delete "and construction"

### AMENDMENT NO. 26

In Senate Committee Amendment No. 220, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 44, line 57, change "850,000" to "800,000"

### AMENDMENT NO. 27

In Senate Committee Amendment No. 221, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate

on June 16, 2004, on page 45, between lines 4 and 5, insert the following:

"Priority 1 \$300,000"

#### AMENDMENT NO. 28

In Senate Committee Amendment No. 223, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 45, delete lines 29 and 30, and insert the following:

"Priority 5 \$150,000"

#### AMENDMENT NO. 29

In Senate Committee Amendment No. 224, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 45, delete line 40, and insert the following:

"Payable from General Obligation Bonds"

#### AMENDMENT NO. 30

In Senate Committee Amendment No. 232, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 47, delete lines 44 and 45, and insert the following:

"Priority 2 \$250,000"

#### AMENDMENT NO. 31

In Senate Committee Amendment No. 234, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 48, delete line 7, and insert "**50/MG3 LEESVILLE**"

#### AMENDMENT NO. 32

Delete Senate Committee Amendment No. 236, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004

#### AMENDMENT NO. 33

Delete Senate Committee Amendment No. 240, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004

#### AMENDMENT NO. 34

Delete Senate Committee Amendment No. 241, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004

#### AMENDMENT NO. 35

In Senate Committee Amendment No. 244, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 50, line 5, change "270,000" to "250,000" and on line 10, change "1,770,000" to "1,750,000"

#### AMENDMENT NO. 36

In Senate Committee Amendment No. 248, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 50, delete line 50, and insert the following:

"Priority 3 \$2,000,000"

#### AMENDMENT NO. 37

In Senate Committee Amendment No. 254, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 51, delete line 35 and insert ""

#### AMENDMENT NO. 38

In Senate Committee Amendment No. 255, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 51, delete line 53, and insert the following:

"Priority 2 \$320,000"

#### AMENDMENT NO. 39

In Senate Committee Amendment No. 256, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 52, delete line 8, and insert the following:

"Priority 2 \$50,000"

#### AMENDMENT NO. 40

In Senate Committee Amendment No. 261, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 53, delete line 12, and insert "" and delete lines 17 and 18, and insert the following:

"Priority 2 \$190,000"

#### AMENDMENT NO. 41

Delete Senate Committee Amendment No. 263, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004.

#### AMENDMENT NO. 42

In Senate Committee Amendment No. 264, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 53, line 53, change "Webster" to "Bienville"

#### AMENDMENT NO. 43

In Senate Committee Amendment No. 287, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 58, delete line 25, and insert the following:

"Priority 5 \$800,000"

#### AMENDMENT NO. 44

Delete Senate Committee Amendment No. 290, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004.

#### AMENDMENT NO. 45

In Senate Committee Amendment No. 311, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 63, delete lines 30 and 31, and insert the following:

"Priority 3 \$630,000"

#### AMENDMENT NO. 46

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In Senate Committee Amendment No. 317, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 64, on line 28, change "Priority 4" to "Priority 1"

### AMENDMENT NO. 47

Delete Senate Committee Amendment No. 320, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004

### AMENDMENT NO. 48

Delete Senate Committee Amendment No. 323, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004

### AMENDMENT NO. 49

In Senate Committee Amendment No. 329, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 66, delete line 16, and insert the following:

"Total	<u>\$4,335,000"</u>
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### AMENDMENT NO. 50

On page 108, line 28, change "Iberville" to "West Baton Rouge

### AMENDMENT NO. 51

In Senate Committee Amendment No. 333, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 67, delete line 9, and insert the following:

"On page 84, after line 47, insert the following:"

### AMENDMENT NO. 52

In Senate Committee Amendment No. 334, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 67, delete line 25, and insert the following:

"On page 108, between lines 35 and 36, insert the following:"

### AMENDMENT NO. 53

Delete Senate Committee Amendment No. 340, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004

### AMENDMENT NO. 54

In Senate Committee Amendment No. 342, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 68, at the end of line 45, insert ", Planning and Construction"

### AMENDMENT NO. 55

In Senate Committee Amendment No. 354, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 71, between lines 18 and 19, insert "(St. Tammany)"

### AMENDMENT NO. 56

In Senate Committee Amendment No. 367, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 74, delete line 13, and insert the following:

"On page 108, between lines 23 and 24, insert the following:"

### AMENDMENT NO. 57

In Senate Committee Amendment No. 369, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 74, at the beginning of line 47, change "Coverted" to "Converted"

### AMENDMENT NO. 58

Delete Senate Committee Amendment No. 373, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004

### AMENDMENT NO. 59

In Senate Committee Amendment No. 377, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 77, line 8, change "outlaly" to "outlay"

### AMENDMENT NO. 60

In Senate Committee Amendment No. 380, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 77, delete line 48, and insert the following:

"On page 120, between lines 7 and 8, insert the following:"

### AMENDMENT NO. 61

In Senate Committee Amendment No. 383, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 78, delete line 12, and insert the following:

"On page 125, line 14, between "state." and "Notwithstanding" insert the following:"

### AMENDMENT NO. 62

On page 12, after line 49, insert the following:

"(489) Warehouse Distribution Center,  
Planning and Construction  
(St. Charles)  
Payable from General Obligation Bonds

Priority 2	\$500,000
Priority 5	<u>\$ 3,000,000</u>
Total	<u>\$3,500,000"</u>

### AMENDMENT NO. 63

On page 14, line 35, change "Lane" to "Lanes"

### AMENDMENT NO. 64

On page 14, delete lines 39 through 41 and insert the following:

"Priority 2	\$200,000
Priority 5	<u>\$250,000</u>
Total	<u>\$450,000"</u>

### AMENDMENT NO. 65

On page 15, between lines 8 and 9, insert the following:

"(299) Natchitoches State Museum of North  
Louisiana, Planning and Construction  
(Natchitoches)

## Payable from General Obligation Bonds

Priority 1	\$100,000
Priority 2	\$100,000
Priority 5	<u>\$1,575,000</u>
Total	<u>\$1,775,000"</u>

AMENDMENT NO. 66

On page 16, delete line 35, and insert the following:

"Priority 1	\$270,000
Priority 5	<u>\$7,270,000</u>
Total	<u>\$7,540,000"</u>

AMENDMENT NO. 67

On page 16, between lines 35 and 36, insert the following:

"( 346) Los Adaes State Historic Site  
Planning, Acquisition, and Construction  
(Natchitoches)  
Payable from General Obligation Bonds

Priority 2	\$2,350,000
Priority 5	<u>\$960,000</u>
Total	<u>\$3,310,000"</u>

AMENDMENT NO. 68

On page 16, after line 50, insert the following:

"(368) Mott Mound State Historic Site,  
Planning and Construction  
(Franklin)  
Payable from General Obligation Bonds

Priority 2	<u>\$310,000"</u>
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AMENDMENT NO. 69

On page 17, between lines 8 and 9, insert the following:

"( 374) Mansfield State Historic Site, Planning  
Acquisition, and Construction  
(DeSoto)  
Payable from General Obligation Bonds

Priority 2	\$435,000
Priority 5	<u>\$3,625,000</u>
Total	<u>\$4,060,000"</u>

AMENDMENT NO. 70

On page 17, delete line 13, and insert the following:

"Priority 1	\$285,000
Priority 2	\$500,000
Priority 5	<u>\$625,000</u>
Total	<u>\$1,410,000"</u>

AMENDMENT NO. 71

On page 17, between lines 19 and 20, insert the following:

"( ) Natchitoches Courthouse Roof, Planning  
and Construction

## (Natchitoches)

## Payable from General Obligation Bonds

Priority 2	\$55,000
Priority 5	<u>\$120,000</u>
Total	<u>\$176,000"</u>

AMENDMENT NO. 72

On page 18, delete line 5, and insert the following:

"Priority 1	\$4,510,000
Priority 2	<u>\$85,000</u>
Total	<u>\$4,595,000"</u>

AMENDMENT NO. 73

On page 18, between lines 18 and 19, insert the following:

"( ) Caney Creek Lake State Park Visitor  
Center, Planning and Construction  
(Jackson)  
Payable from General Obligation Bonds

Priority 2	<u>\$1,355,000"</u>
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AMENDMENT NO. 74

On page 21, between lines 12 and 13, insert the following:

"(910) LA 820 Improvements from LA 145 to  
LA 821, Planning and Construction  
(\$1,800,000 Match Required)  
(Lincoln)  
Payable from General Obligation Bonds

Priority 1	\$640,000
Priority 2	\$960,000
Priority 5	<u>\$200,000</u>
Total	<u>\$1,800,000"</u>

AMENDMENT NO. 75

On page 31, delete line 7, and insert the following:

"Priority 1	\$135,000
Priority 2	<u>\$1,330,000</u>
Total	<u>\$1,465,000"</u>

AMENDMENT NO. 76

On page 56, delete lines 41 through 43, and insert the following:

"Priority 2	\$480,000"
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AMENDMENT NO. 77

On page 56, delete lines 51 through 53, and insert the following:

"Priority 2	\$132,000
Priority 5	<u>\$274,000</u>
Total	<u>\$406,000"</u>

AMENDMENT NO. 78

On page 57, delete lines 7 through 9, and insert the following:

"Priority 2	\$48,000
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Priority 5	\$96,000
Total	<u>\$144,000"</u>

### AMENDMENT NO. 79

On page 57, delete lines 15 through 17, and insert the following:

"Priority 2	\$90,000
Priority 5	<u>\$180,000</u>
Total	<u>\$270,000"</u>

### AMENDMENT NO. 80

On page 57, delete lines 22 through 24, and insert the following:

"Priority 2	\$28,800
Priority 5	<u>\$57,600</u>
Total	<u>\$86,400"</u>

### AMENDMENT NO. 81

On page 57, delete lines 29 through 31, and insert the following:

"Priority 2	\$380,000
Priority 5	<u>\$760,000</u>
Total	<u>\$1,140,000"</u>

### AMENDMENT NO. 82

On page 57, delete line 51, and insert the following:

"Priority 1	\$240,000
Priority 2	<u>\$235,000</u>
Total	<u>\$475,000"</u>

### AMENDMENT NO. 83

On page 61, between lines 7 and 8, insert the following:

#### **"19/776 LOUISIANA TECHNICAL COLLEGE - RUSTON CAMPUS**

( ) Main Building Addition, Planning and Construction  
(Lincoln)  
Payable from General Obligation Bonds

Priority 2	\$880,000
Priority 5	<u>\$880,000</u>
Total	<u>\$1,760,000"</u>

### AMENDMENT NO. 84

On page 64, delete line 14, and insert the following:

"Priority 1	\$2,505,000
Priority 2	\$550,000
Priority 5	<u>\$4,240,000</u>
Total	<u>\$7,295,000"</u>

### AMENDMENT NO. 85

On page 67, between lines 33 and 34, insert the following:

#### **"50/J13 CATAHOULA PARISH**

(991) Chalk Hills Reservoir, Planning  
(Catahoula)

Payable from General Obligation Bonds

Priority 2	<u>\$200,000"</u>
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### AMENDMENT NO. 86

On page 68, between lines 27 and 28, insert the following:

#### **"50/J21 FRANKLIN PARISH**

( ) Johnson Road Improvements, Planning and Construction  
(Franklin)  
Payable from General Obligation Bonds

Priority 3	<u>\$380,000"</u>
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### AMENDMENT NO. 87

On page 70, delete line 31, and insert the following:

"Priority 1	\$80,000
Priority 2	\$80,000
Priority 3	<u>\$1,600,000</u>
Priority 4	<u>\$1,630,000"</u>

### AMENDMENT NO. 88

On page 72, between lines 1 and 2, insert the following:

"(1023) Industrial Park, Planning and Construction  
(Non-State Match Required)  
(Morehouse)  
Payable from General Obligation Bonds

Priority 2	\$50,000
Priority 3	<u>\$550,000</u>
Total	<u>\$600,000"</u>

### AMENDMENT NO. 89

On page 72, between lines 13 and 14, insert the following:

"( ) LA 425/US 165 Bypass Study and Planning  
(Non-State Match Required)  
(Morehouse)  
Payable from General Obligation Bonds

Priority 2	<u>\$100,000"</u>
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### AMENDMENT NO. 90

On page 73, delete line 20, and insert the following:

"Priority 1	\$365,000
Priority 2	<u>\$135,000</u>
Total	<u>\$500,000"</u>

### AMENDMENT NO. 91

On page 76, delete lines 22 and 23, and insert the following:

"Priority 5	<u>\$4,800,000</u>
Total	<u>\$6,000,000"</u>

### AMENDMENT NO. 92

On page 77, delete line 20, and insert the following:



"Priority 1	\$100,000
Priority 2	\$100,000
Priority 3	<u>\$750,000</u>
Total	<u>\$ 950,000"</u>

**AMENDMENT NO. 93**

On page 78, between lines 10 and 11, insert the following:

- "(1078) Development of Old Tensas Rosenwald High School Site Including Restoration of Gym into Civic Recreation and Heritage Culture Center, and Purchase of Building for TREES Project, Planning and Construction (\$200,000 Federal Match; \$200,000 In-Kind Match) (Tensas)  
Payable from General Obligation Bonds

Priority 2	\$250,000
Priority 5	<u>\$450,000</u>
Total	<u>\$700,000"</u>

**AMENDMENT NO. 94**

On page 78, between lines 39 and 40, insert the following:

- "(934) Additions to Union Council on Aging, Inc., Planning and Construction, (\$60,000 Non-State Match) (Union)  
Payable from General Obligation Bonds

Priority 2	\$30,000
Priority 5	<u>\$60,000</u>
Total	<u>\$90,000"</u>

**AMENDMENT NO. 95**

On page 79, delete line 26, and insert the following:

"Priority 2	\$25,000
Priority 5	<u>\$225,000</u>
Total	<u>\$250,000"</u>

**AMENDMENT NO. 96**

On page 79, delete line 32, and insert the following:

"Priority 2	\$210,000
Priority 5	<u>\$300,000</u>
Total	<u>\$510,000"</u>

**AMENDMENT NO. 97**

On page 80, between lines 15 and 16, insert the following:

**"50/J62 WEST CARROLL**

- ( ) West Carroll Parish Jail Education and Visitation Room, Planning and Construction (\$100,000 Non-State Match) (West Carroll)  
Payable from General Obligation Bonds

Priority 2	<u>\$125,000"</u>
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**AMENDMENT NO. 98**

On page 80, delete line 30, and insert the following:

"Priority 1	\$100,000
Priority 2	<u>\$50,000</u>
Total	<u>\$150,000"</u>

**AMENDMENT NO. 99**

On page 85, between lines 22 and 23, insert the following:

**"50/M85 FARMERVILLE**

- (594) Recreation Center, Planning, Renovations and Construction (\$1,600,000 Non-State Match) (Union)  
Payable from General Obligation Bonds

Priority 2	\$240,000
Priority 5	<u>\$245,000</u>
Total	<u>\$485,000"</u>

**AMENDMENT NO. 100**

On page 88, after line 52, insert the following:

**"50/MH1 LOGANSFORT**

- ( ) Logansport Industrial Buildings, Planning and Construction (DeSoto)  
Payable from General Obligation Bonds

Priority 2	<u>\$50,000"</u>
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**AMENDMENT NO. 101**

On page 89, delete lines 32 through 34, and insert the following:

"Priority 2	\$280,000
Priority 5	<u>\$400,000</u>
Total	<u>\$680,000"</u>

**AMENDMENT NO. 102**

On page 92, delete lines 13 through 15, and insert the following:

"Priority 2	\$25,000
Priority 5	<u>\$43,500</u>
Total	<u>\$68,500"</u>

**AMENDMENT NO. 103**

On page 92, after line 51, insert the following:

**"50/MK9 NATCHITOCHES**

- ( ) Natchitoches Incubator, Phase 2, Planning and Construction (Natchitoches)  
Payable from General Obligation Bonds

Priority 2	\$120,000
Priority 5	<u>\$228,000</u>
Total	<u>\$348,000"</u>

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## 48th DAY'S PROCEEDINGS

### AMENDMENT NO. 104

On page 92, after line 51, insert the following:

#### **"50/MK9 NATCHITOCHES**

- ( ) Installation of Supplemental Raw Water  
Source From Bayou Pierre to Sibley Lake,  
Planning and Construction  
(Natchitoches)  
Payable from General Obligation Bonds

Priority 2	\$100,000
Priority 5	<u>\$650,000</u>
Total	<u>\$750,000"</u>

### AMENDMENT NO. 105

On page 96, delete lines 23 through 25, and insert the following:

"Priority 2	\$150,000
Priority 5	<u>\$25,000</u>
Total	<u>\$200,000"</u>

### AMENDMENT NO. 106

On page 96, delete lines 37 and 38, and insert:

"Payable from State General Fund (Direct) Nonrecurring Revenues	\$80,000
Payable from General Obligation Bonds	
Priority 1	\$100,000
Priority 5	<u>\$900,000</u>
Total	<u>\$1,080,000"</u>

### AMENDMENT NO. 107

On page 99, delete line 52 and insert:

"Priority 1	\$1,550,000
Priority 5	<u>\$700,000</u>
Total	<u>\$2,250,000"</u>

### AMENDMENT NO. 108

On page 100, delete lines 11 through 13, and insert the following:

"Priority 2	\$200,000
Priority 3	\$360,000
Priority 4	<u>\$540,000</u>
Total	<u>\$1,100,000"</u>

### AMENDMENT NO. 109

On page 100, delete lines 38 through 40, and insert the following:

"Priority 2	\$250,000
Priority 3	\$1,350,000
Priority 5	<u>\$8,000,000</u>
Total	<u>\$9,600,000"</u>

### AMENDMENT NO. 110

On page 104, delete line 42, and insert the following:

"Priority 1	\$4,675,000
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Priority 5	<u>\$1,500,000</u>
Total	<u>\$6,175,000"</u>

### AMENDMENT NO. 111

On page 104, delete lines 48 and 49, and insert:

"Payable from State General Fund (Direct) Nonrecurring Revenues	\$ 150,000
Payable from General Obligation Bonds	

Priority 1	\$50,000
Priority 2	\$50,000
Priority 5	<u>\$50,000</u>
Total	<u>\$1,080,000"</u>

### AMENDMENT NO. 112

On page 109, delete lines 6 through 8, and insert the following:

"Priority 1	\$160,000
Priority 2	\$340,000
Priority 3	\$1,120,000
Priority 4	\$2,244,000
Priority 5	<u>\$1,000,000</u>
Total	<u>\$4,864,000"</u>

### AMENDMENT NO. 113

On page 111, between lines 18 and 19, insert the following:

#### **"50/NH4 AVOYELLES SOCIETY FOR THE DEVELOPMENTALLY DISABLED**

- (105) Building Renovations, Planning and  
Construction  
(\$40,000 Non- State Match Required)  
(Avoyelles)  
Payable from General Obligation Bonds

Priority 2	\$75,000
Priority 5	<u>\$300,000</u>
Total	<u>\$375,000"</u>

### AMENDMENT NO. 114

On page 116, after line 44, insert the following:

#### **"50/NV4 UJAMAA COMMUNITY DEVELOPMENT**

- ( 978) Treme Youth Entrepreneurial Center,  
Planning and Construction  
(\$342,500 Non-State Match)  
(Orleans)  
Payable from General Obligation Bonds

Priority 2	\$25,000
Priority 5	<u>\$345,000</u>
Total	<u>\$370,000"</u>

### AMENDMENT NO. 115

On page 118, between lines 24 and 25, insert the following:

#### **"50/NY9 DESOTO FIRE DISTRICT NO. 2**

- ( ) DeSoto Fire District No. 2 New Tanker,  
Acquisition  
(Non-State Match Required)  
(De Soto)  
Payable from General Obligation Bonds

Priority 2 \$45,000"

On motion of Senator Mount, the amendments were adopted.

### Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Re-reengrossed House Bill No. 2 by Representative Hammett

#### AMENDMENT NO. 1

In Senate Committee Amendment No. 75 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004 on page 13 line 51, change "compliment" to "complement"

#### AMENDMENT NO. 2

In Senate Committee Amendment No. 92 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004 on page 17 line 26, change "Giesmar" to "Geismer"

#### AMENDMENT NO. 3

Delete Senate Committee Amendment No. 107 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004.

#### AMENDMENT NO. 4

On page 25, between lines 13 and 14, insert the following:

"Priority 2	\$195,000
Priority 3	\$300,000
Priority 4	\$455,000"

#### AMENDMENT NO. 5

On page 25, line 20, change the "\$1,117,513" to "\$2,067,513"

#### AMENDMENT NO. 6

Delete Senate Committee No. 149 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004.

#### AMENDMENT NO. 7

On page 24, line 10, change "\$175,000" to "\$275,000"

#### AMENDMENT NO. 8

On page 24, delete line 13 and insert the following:

"Priority 1	\$400,000
Priority 2	\$100,000
Priority 5	\$200,000
Total	<u>\$700,000"</u>

#### AMENDMENT NO. 9

In Senate Committee Amendment No. 244 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004 on page 50 line 5, change "\$270,000" to "\$250,000"

#### AMENDMENT NO. 10

In Senate Committee Amendment No. 261 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004 on page 53 line 12, change "**50/MO2, Port Allen**" to "**50/MN3, Pineville**"

#### AMENDMENT NO. 11

Delete Senate Committee Amendment No. 340 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004

#### AMENDMENT NO. 12

In Senate Committee Amendment No. 369 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004 on page 74 line 47, change "coverted" to "converted"

On motion of Senator Mount, the amendments were adopted.

### Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Re-reengrossed House Bill No. 2 by Representative Hammett

#### AMENDMENT NO. 1

On page 23, delete lines 8 and 9, and insert the following:

"Priority 5	<u>\$1,700,000</u>
Total	<u>\$2,800,000"</u>

#### AMENDMENT NO. 2

On page 85, delete line 13, and insert the following:

"Priority 1	\$50,000
Priority 2	<u>\$500,000</u>
Total	<u>\$550,000"</u>

#### AMENDMENT NO. 3

On page 85, between lines 13 and 14, insert the following:

#### "50/M68 DONALDSONVILLE

- (749) Industrial Park Land Acquisition,  
Planning and Construction of Infrastructure  
(Non-State Match Required)  
(Ascension)  
Payable from General Obligation Bonds

Priority 2	\$505,000
Priority 3	\$505,000
Priority 4	<u>\$505,000</u>
Total	<u>\$1,515,000"</u>

AMENDMENT NO. 4

On page 86, after line 48, insert the following:

**"50/MA5      GONZALES**

(877)      Jambalaya Park, Planning and Construction  
              (\$100,000 Non-State Match)  
              (Ascension)  
              Payable from General Obligation Bonds

Priority 2	\$100,000
Priority 3	<u>\$115,000</u>
Total	<u><u>\$215,000"</u></u>

AMENDMENT NO. 5

On page 96, between lines 26 and 27, insert the following:

**"50/MQ2      RUSTON**

(249)      Tarbutton Road Interstate 20 Interchanges  
              and Connector Road  
              (Non-State Match Required)  
              (Lincoln)  
              Payable from General Obligation Bonds

Priority 2	\$200,000
Priority 3	\$1,600,000
Priority 4	\$1,600,000
Priority 5	<u>\$1,600,000</u>
Total	<u><u>\$5,000,000</u></u>

**EXPLANATION:** Restores projects from Act 24"

On motion of Senator Mount, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Fields sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Fields to Re-reengrossed House Bill No. 2 by Representative Hammett

AMENDMENT NO. 1

On page 43, delete lines 33 and 34, and insert:

"(422)      University Medical Center in Baton Rouge,  
              Planning and"

AMENDMENT NO. 2

On page 44, delete lines 2 and 3, and insert:

"Master Planning, University Medical Center in Baton Rouge,"

AMENDMENT NO. 3

On page 44, delete line 30, and insert:

"(753)      Outpatient Clinics, University Medical Center  
              in Baton Rouge, Planning and Construction"

On motion of Senator Fields, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Michot sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Michot to Re-reengrossed House Bill No. 2 by Representative Hammett

AMENDMENT NO. 1

In Senate Committee Amendment No. 131 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 25, line 54, change "Priority 2" to "Priority 5"

AMENDMENT NO. 2

In Senate Committee Amendment No. 133 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 26, line 24, change "Priority 3" to "Priority 5"

AMENDMENT NO. 3

In Senate Committee Amendment No. 200 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 40, line 26, change "Priority 3" to "Priority 5"

AMENDMENT NO. 4

In Senate Committee Amendment No. 372 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2004, on page 75, delete line 38, and insert the following:

"Priority 2	\$50,000
Priority 5	<u>\$200,000</u>
Total	<u><u>\$250,000"</u></u>

AMENDMENT NO. 5

On page 97, delete line 8, and insert the following:

"Priority 1	\$40,000
Priority 2	\$200,000
Priority 5	<u>\$480,000</u>
Total	<u><u>\$720,000"</u></u>

On motion of Senator Michot, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Mount sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Mount to Re-reengrossed House Bill No. 2 by Representative Hammett

AMENDMENT NO. 1

On page 107, after line 6, insert the following:

"Provided that there shall be no expenditure of state funds for the project unless and until the State Bond Commission adopted a declaration of official intent to utilize tax-exempt bond proceeds for the project and the Ogden Museum of Southern Art, Inc. has entered into a cooperative endeavor with the Office of Facility Planning and Control with respect to the administration of this project."

On motion of Senator Mount, the amendments were adopted.

### Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Re-reengrossed House Bill No. 2 by Representative Hammett

#### AMENDMENT NO. 1

On page 107, delete lines 1 through 9

#### AMENDMENT NO. 2

On page 118, delete lines 1 through 12

### Motion

Senator Hainkel moved the previous question on the amendment.

Senator Marionneaux objected.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Schedler
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Dardenne	Jackson	
Duplessis	Jones	
Total—34		

#### NAYS

Cravins	Romero	Ullo
Total—3		

#### ABSENT

Irons	Marionneaux
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Total—2

The Chair declared the previous question was called on the amendment.

### Motion

Senator Amedee moved for a division of the question on the above floor amendments.

Without objection, the division of the question was ordered.

Senator Marionneaux moved the adoption of Amendment No. 1.

Senator Bajoie objected.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Kostelka	Smith
Ellington	Malone	
Jones	Marionneaux	
Total—7		

#### NAYS

Adley	Duplessis	Jackson
Amedee	Dupre	Lentini
Bajoie	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Hainkel	Romero
Chaisson	Heitmeier	Schedler
Cheek	Holden	Theunissen
Cravins	Hollis	
Dardenne	Irons	
Total—31		

#### ABSENT

Ullo
Total—1

The Chair declared Amendment No. 1 was rejected.

Senator Marionneaux moved the adoption of Amendment No. 2.

Senator Bajoie objected.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Kostelka	Smith
Ellington	Malone	

Jones  
Total—7

Marionneaux

### NAYS

Adley	Duplessis	Lentini
Amedee	Dupre	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux, B	Nevers
Boissiere	Gautreaux, N	Romero
Cain	Hainkel	Schedler
Chaisson	Heitmeier	Theunissen
Cheek	Holden	Ullo
Cravins	Hollis	
Dardenne	Jackson	
Total—31		

ABSENT

Irons  
Total—1

The Chair declared Amendment No. 2 was rejected.

### Floor Amendments Sent Up

Senator B. Gautreaux sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Gautreaux to Re-reengrossed House Bill No. 2 by Representative Hammett

#### AMENDMENT NO. 1

On page 44, line 15, change "\$1,170,000" to "\$1,040,000"

#### AMENDMENT NO. 2

Delete Senate Committee Amendment No. 24, proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2004.

On motion of Senator B. Gautreaux, the amendments were adopted.

The bill was read by title. Senator Mount moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers

Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—39		

#### NAYS

Total—0

ABSENT

Total—0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Called from the Calendar

Senator Mount asked that House Bill No. 3 be called from the Calendar at this time for its final passage.

#### HOUSE BILL NO. 3—

BY REPRESENTATIVE HAMMETT AND SENATOR MOUNT

#### AN ACT

To enact the Omnibus Bond Authorization Act of 2004, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—39		

#### NAYS

Total—0

ABSENT

Total—0

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Senator Jones in the Chair

### Called from the Calendar

Senator Irons asked that House Bill No. 198 be called from the Calendar at this time for its final passage.

#### HOUSE BILL NO. 198—

BY REPRESENTATIVES BRUNEAU, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, R. CARTER, CAZAYOUX, CRANE, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GEYMAN, GLOVER, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HUNTER, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MURRAY, ODINET, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALSWORTH, WHITE, WINSTON, AND WRIGHT

#### AN ACT

To amend and reenact R.S. 47:1206 and to repeal Chapter 14 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:1201 through 1212, relative to the gift tax; to phase in a reduction and repeal of the gift tax; to provide for an effective date; and to provide for related matters.

### Motion

Senator Hines moved to return the bill to the Involuntary Calendar.

Senator Irons objected.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Mount
Chaisson	Gautreaux, N	Romero
Cheek	Holden	Smith
Duplessis	Jackson	Ullo
Dupre	Jones	
Ellington	Lentini	
Total—22		

#### NAYS

Adley	Dardenne	Malone
Barham	Hainkel	Michot
Boasso	Heitmeier	Nevers
Boissiere	Hollis	Schedler
Cain	Irons	Theunissen
Cravins	Kostelka	

Total—17

ABSENT

Total—0

The Chair declared the bill was returned to the Involuntary Calendar.

### Personal Privilege

Senator Heitmeier asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the motion by Senator Hines. He voted nay on the motion and had intended to vote yea. He asked that the Official Journal so state.

### Called from the Calendar

Senator Boissiere asked that House Bill No. 394 be called from the Calendar at this time for its final passage.

#### HOUSE BILL NO. 394—

BY REPRESENTATIVE MURRAY

#### AN ACT

To amend and reenact R.S. 13:2500(C), relative to the jurisdiction of the Municipal Court of New Orleans; to increase the monetary penalty which may be imposed for the violation of a municipal ordinance; and to provide for related matters.

### Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 394 by Representative Murray

#### AMENDMENT NO. 1

On page 1, after line 16, insert the following:

“D. Any increases in the New Orleans Municipal Courts’ monetary penalties which occur as a result of this Section shall be limited to health violations, illegal dumping, blighted housing, abandoned housing, and clogged or obstructed drainage systems, including, but not limited to, catch basins.”

On motion of Senator Boissiere, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Cheek	Holden
Amedee	Cravins	Jackson
Boasso	Dupre	Jones
Boissiere	Fields	Theunissen
Chaisson	Gautreaux, N	

Total—14

**NAYS**

Adley	Gautreaux, B	Malone
Bajoie	Hainkel	Michot
Barham	Heitmeier	Mount
Cain	Hollis	Nevers
Dardenne	Irons	Romero
Duplessis	Kostelka	Schedler
Ellington	Lentini	Ullo

Total—21

**ABSENT**

Fontenot	McPherson
Marionneaux	Smith

Total—4

The Chair declared the bill failed to pass. Senator Dardenne moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

**Called from the Calendar**

Senator Schedler asked that House Bill No. 1082 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1082—**

BY REPRESENTATIVE BURNS

**AN ACT**

To amend and reenact R.S. 33:102, 106, and 109 and to enact R.S. 33:101(5), 103.1, and 109.1, relative to parish and municipal planning commissions; to provide relative to training requirements of members of such commissions and members of advisory boards to such commissions; to provide relative to master plans adopted by such commissions; to provide relative to the relationship between such master plans and plans of the state and other political subdivisions; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Romero
Cain	Heitmeier	Schedler
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	

Total—37

**NAYS**

Total—0

**ABSENT**

Irons	Nevers
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Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Dardenne asked that House Bill No. 1545 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1545—**

BY REPRESENTATIVES MARTINY AND BRUCE

**AN ACT**

To amend and reenact R.S. 27:311(H) and (K)(4), relative to video draw poker device fees; to provide that processing fees are collected annually; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Jones
Adley	Dupre	Lentini
Amedee	Ellington	Malone
Bajoie	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Romero
Chaisson	Holden	Smith
Cheek	Irons	Theunissen
Dardenne	Jackson	Ullo

Total—33

**NAYS**

Cravins	Hollis	Kostelka
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Total—3

**ABSENT**

Hainkel	Nevers	Schedler
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Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.



**Called from the Calendar**

Senator Malone asked that House Bill No. 651 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 651—**

BY REPRESENTATIVES PIERRE AND DANIEL  
AN ACT

To amend and reenact R.S. 30:87(A), (B), and (F) and to repeal R.S. 30:87(G), relative to oilfield site restoration fees; to increase such fee after a certain date; and to provide for related matters.

The bill was read by title. Senator Malone moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

**NAYS**

Cain  
Total—1

**ABSENT**

Hainkel  
Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Malone asked that House Bill No. 652 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 652—**

BY REPRESENTATIVE PIERRE  
AN ACT

To amend and reenact R.S. 30:86(E)(2), relative to the Oilfield Site Restoration Fund; to provide relative to the amount of the fund

that can be used by the Department of Natural Resources for administration; and to provide for related matters.

The bill was read by title. Senator Malone moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—33		

**NAYS**

Gautreaux, N  
Total—1

**ABSENT**

Boissiere	Hainkel	Schedler
Cravins	Marionneaux	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Personal Privilege**

Senator N. Gautreaux asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 652. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

**Mr. President in the Chair****Called from the Calendar**

Senator Malone asked that House Bill No. 1197 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1197—**

BY REPRESENTATIVES BAYLOR AND K. CARTER  
AN ACT

To amend and reenact R.S. 25:341(D), (E), (F), and (G), 342(A)(1) and (B)(2), and 343, and R.S. 36:207(A)(1) and (2), 208(C), and 909 and to enact R.S. 25:341(H), relative to the Louisiana State Museum; to change the appointment process of certain members of the museum's board of directors and the museum's professional director; to provide for the director's salary; to

provide relative to board meetings; and to provide for related matters.

### Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed House Bill No. 1197 by Representative Baylor

##### AMENDMENT NO. 1

On page 3, line 18, after “lieutenant governor” insert “with consent of the board”

##### AMENDMENT NO. 2

On page 3, line 24, after “and” insert “with the consent of the board”

Senator Hainkel moved adoption of the amendments.

Senator Malone objected.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Amedee	Ellington	Lentini
Barham	Fields	Marionneaux
Cain	Gautreaux, B	Mount
Cheek	Hainkel	Romero
Dardenne	Heitmeier	Smith
Duplessis	Hollis	Theunissen
Dupre	Kostelka	Ullo
Total—21		

#### NAYS

Mr. President	Chaisson	Jones
Adley	Gautreaux, N	Malone
Bajoie	Holden	McPherson
Boasso	Jackson	Michot
Total—12		

#### ABSENT

Boissiere	Fontenot	Nevers
Cravins	Irons	Schedler
Total—6		

The Chair declared the amendments were adopted.

### Personal Privilege

Senator Duplessis asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on the amendment by Senator Hainkel to House Bill No. 1197. She voted yea on the amendment and had intended to vote nay. She asked that the Official Journal so state.

The bill was read by title. Senator Malone moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Duplessis	Jackson
Adley	Dupre	Kostelka
Amedee	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Heitmeier	Romero
Cheek	Holden	Smith
Cravins	Hollis	Theunissen
Dardenne	Irons	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Jones	Nevers	Schedler
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Called from the Calendar

Senator Malone asked that House Bill No. 1623 be called from the Calendar at this time for its final passage.

#### HOUSE BILL NO. 1623—

BY REPRESENTATIVE HOPKINS

#### AN ACT

To enact R.S. 30:5.2, relative to units for coal seam natural gas, unit operations and unit operators; and to provide for related matters.

### Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed House Bill No. 1623 by Representative Hopkins

##### AMENDMENT NO. 1

On page 2, line 9 change “areas” to “area”

On motion of Senator Malone, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Smith sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Smith to Engrossed House Bill No. 1623 by Representative Hopkins

**AMENDMENT NO. 1**

On page 3, after line 9, insert the following:

Section 2. The provisions for this Act shall become effective on June 30, 2006."

Senator Smith moved adoption of the amendments.

Senator Malone objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Boissiere	Hainkel	Smith
Cain	Hollis	Theunissen
Ellington	McPherson	Ullo
Gautreaux, B	Nevers	
Total—11		

**NAYS**

Mr. President	Duplessis	Jones
Adley	Dupre	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, N	Michot
Boasso	Heitmeier	Mount
Chaisson	Holden	Romero
Cheek	Irons	
Dardenne	Jackson	
Total—25		

**ABSENT**

Cravins	Kostelka	Schedler
Total—3		

The Chair declared the amendments were rejected.

The bill was read by title. Senator Malone moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson

Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Kostelka	
Total—34		

**NAYS**

Cain	Smith
Total—2	

**ABSENT**

Cravins	Hollis	Schedler
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Barham asked that House Bill No. 777 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 777—**

BY REPRESENTATIVES HAMMETT, HILL, KENNEY,  
MONTGOMERY, TOWNSEND, FRITH, AND FUTRELL

**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 4(C) of the Constitution of Louisiana, to prohibit the taxation of motor fuel, gasoline, or certain diesel fuel by a political subdivision of the state; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Barham sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Barham to Re-reengrossed House Bill No. 777 by Representative Hammett

**AMENDMENT NO. 1**

On page 1, line 3, delete "certain"

**AMENDMENT NO. 2**

On page 1, at the end of line 14, delete "or" and delete lines 15 through 17 and insert in lieu thereof ".gasoline, or diesel fuel."

**AMENDMENT NO. 3**

On page 2, line 8, after "gasoline" insert "or diesel fuel"

**AMENDMENT NO. 4**

On page 2, line 9, after "state" delete the remainder of the line and on line 10, delete "political subdivisions of the state"

Senator Barham moved adoption of the amendments.

Senator Amedee objected.

### ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Duplessis	Kostelka
Adley	Dupre	Marionneaux
Bajoie	Ellington	McPherson
Barham	Fontenot	Michot
Cain	Gautreaux, B	Mount
Chaisson	Gautreaux, N	Romero
Cheek	Heitmeier	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	
Total—26		

NAYS		
Amedee	Hainkel	Lentini
Boasso	Holden	Malone
Boissiere	Hollis	Ullo
Fields	Irons	
Total—11		

ABSENT	
Nevers	Schedler
Total—2	

The Chair declared the amendments were adopted.

The bill was read by title. Senator Barham moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

YEAS		
Adley	Fontenot	Nevers
Barham	Gautreaux, N	Romero
Cain	Kostelka	Smith
Dardenne	Malone	Theunissen
Dupre	Marionneaux	
Ellington	Michot	
Total—16		

NAYS		
Mr. President	Fields	Jackson
Amedee	Gautreaux, B	Jones
Bajoie	Hainkel	Lentini
Boasso	Heitmeier	McPherson
Boissiere	Holden	Mount
Cheek	Hollis	Ullo
Duplessis	Irons	
Total—20		

ABSENT		
Chaisson	Cravins	Schedler

Total—3

The Chair declared the amended bill failed to pass.

### Notice of Reconsideration

Senator Barham, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

### Personal Privilege

Senator McPherson asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 777. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

### Called from the Calendar

Senator Mount asked that House Bill No. 1696 be called from the Calendar at this time for its final passage.

### HOUSEBILL NO. 1696 (Substitute for House Bill No. 1303 by Representative Hammett)—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:1621(E) and 1624(A) and to enact R.S. 47:115(C), relative to refunds and credits; to provide for certain situations in which interest on refunds of overpayments will begin to accrue; to provide for the recovery of credits given for overpayments later deemed invalid; to provide for an effective date; and to provide for related matters.

### Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed House Bill No. 1696 by Representative Hammett

#### AMENDMENT NO. 1

On page 2, line 5, after “allowed if” delete the remainder of the line and on line 6, delete “secretary, it is determined”, and insert: “the secretary proves by clear and convincing evidence”

#### AMENDMENT NO. 2

On page 2, line 28, after “allowed if” delete the remainder of the line and on line 29, delete “is determined”, and insert: “the secretary proves by clear and convincing evidence”

On motion of Senator Mount, the amendments were adopted.

The bill was read by title. Senator Mount moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	

Total—38

**NAYS**

Total—0

**ABSENT**

Schedler  
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Jackson asked that House Bill No. 740 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 740—**

BY REPRESENTATIVE WADDELL  
AN ACT

To amend and reenact R.S. 17:6(A)(11), relative to the general powers of the State Board of Elementary and Secondary Education; to require the board to adopt rules and regulations; to provide that certain public high school students who fail to pass the high school graduation exit exam shall be awarded a certificate of attendance; to specify that nothing shall prohibit such a student from being issued a diploma upon successful passage of the graduation exit exam; to provide that nothing shall interfere with any local public school board's authority to adopt policies relative to participation by students in graduation ceremonies; and to provide for related matters.

**Motion**

Senator Theunissen moved to return the bill to the Involuntary Calendar.

Senator Fields objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Michot
Barham	Hainkel	Theunissen
Boasso	Kostelka	Ullo
Dardenne	Lentini	
Dupre	Marionneaux	

Total—13

**NAYS**

Mr. President	Fields	Jackson
Amedee	Fontenot	Jones
Bajoie	Gautreaux, B	Malone
Boissiere	Gautreaux, N	Mount
Chaisson	Holden	Nevers
Cravins	Hollis	Romero
Duplessis	Irons	Smith

Total—21

**ABSENT**

Cain	Heitmeier	Schedler
Cheek	McPherson	

Total—5

The Chair declared the Senate refused to return the bill to the Involuntary Calendar.

The bill was read by title. Senator Jackson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Chaisson	Heitmeier	Nevers
Cheek	Holden	Romero
Cravins	Irons	Smith
Duplessis	Jackson	
Ellington	Jones	

Total—25

**NAYS**

Adley	Dardenne	Kostelka
Barham	Dupre	Lentini
Boasso	Hainkel	Theunissen

Total—9

**ABSENT**

Cain	McPherson	Ullo
Hollis	Schedler	

Total—5

The Chair declared the bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Barham asked that House Bill No. 1009 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1009—**  
BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1561, relative to the Clerks' of Court Retirement and Relief Fund; to provide with respect to demand upon the state treasurer for delinquent dedicated tax revenue; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Barham moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux, B	McPherson
Amedee	Gautreaux, N	Michot
Barham	Heitmeier	Mount
Boasso	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—31		

**NAYS**

Bajoie	Fields	Irons
Boissiere	Hainkel	
Total—5		

**ABSENT**

Cain	Cravins	Schedler
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Chaisson asked that House Bill No. 1351 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1351—**

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 13:3667.1, 3667.3, and 4163, relative to legislators and legislative employees; to provide with respect to court appearances as witnesses during legislative activities; to require certification of service or employment of legislative employees; to eliminate witness exemptions for certain criminal felony trials; to require a hearing to compel the appearance of a legislator as a witness; to provide for appeal of an order compelling appearance as witness; to provide for continuances and extensions during performance of legislative duties; to provide for appeals of orders relating thereto; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Chaisson sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Chaisson to Engrossed House Bill No. 1351 by Representative Townsend

**AMENDMENT NO. 1**

On page 3, line 16, change "or extension" to "or extension of time"

On motion of Senator Chaisson, the amendments were adopted.

The bill was read by title. Senator Chaisson moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

**NAYS**

Total—0

**ABSENT**

Schedler  
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Called from the Calendar

Senator Marionneaux asked that House Bill No. 677 be called from the Calendar at this time for its final passage.

#### HOUSE BILL NO. 677—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 13:3049(B)(2)(a) and (e) and Code of Civil Procedure Article 1734.1(A), relative to civil jury trials; to provide for the expenses related to jury trials; to provide for the payment of jurors; to provide for the cash deposit; and to provide for related matters.

### Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 677 by Representative Johns

#### AMENDMENT NO. 1

On page 1, delete lines 18 and 19 and delete “~~thirty-six~~ one hundred fifty dollars as juror filing fees.”

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator Marionneaux moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Boissiere	Gautreaux, B	Michot
Cain	Gautreaux, N	Mount
Chaisson	Hainkel	Nevers
Cheek	Heitmeier	Romero
Cravins	Holden	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—32		

#### NAYS

Amedee	Boasso	Lentini
Total—3		

#### ABSENT

Barham  
Hollis  
Total—4

Irons  
Schedler

The Chair declared the amended bill was passed. The title was read and adopted. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Called from the Calendar

Senator Lentini asked that House Bill No. 353 be called from the Calendar at this time for its final passage.

#### HOUSE BILL NO. 353—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact Civil Code Article 2818, relative to partnerships; to provide for the causes of cessation of membership; to provide for plans of liquidation or appointments of trustees; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

#### NAYS

Total—0

#### ABSENT

Irons  
Total—2  
Schedler

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Called from the Calendar

Senator Dardenne asked that House Bill No. 38 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 38—**

BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact Civil Code Articles 650 and 2668, Chapters 1 and 2 of Title IX of Book III of the Civil Code, to be comprised of Chapters 1 through 4 of Title IX of Book III of the Civil Code, consisting of Articles 2668 through 2729, Civil Code Article 3219, and R.S. 9:3221, to enact R.S. 9:3259.2, and to repeal Civil Code Article 3218, relative to lease and to redesignate Chapter 3 of Title IX of Book III of the Civil Code, comprised of Articles 2745 through 2777, as Chapter 5 of Title IX of Book III of the Civil Code; to provide for definitions; to provide for a contract to lease; to provide for the types of leases; to provide for things that may be leased; to provide relative to ownership; to provide for rent; to provide for the term or duration; to provide for the form; to provide relative to registry; to provide for the obligations of the lessor and lessee; to provide for delivery; to provide for errors relative to the size of an immovable leased thing; to provide for the misuse of the leased thing; to provide for liability for damages; to provide for notification of damages; to provide for expenses; to provide for the rights of the lessor and lessee relative to the attachments, additions, or improvements; to provide for the warranty against vices or defects; to provide for peaceful possession; to provide relative to subleasing; to provide for the seizure of a third person's movables; to provide relative to privileges; to provide for transfer; to provide for loss, destruction, or expropriation; to provide for termination; to provide for the death of the lessor or lessee; to provide for reconduction; to provide for a lease relative to a predial servitude; to provide for amendments; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneau
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

**NAYS**

Total—0

ABSENT

Irons

Schedler

Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Rules Suspended**

Senator Ellington asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 66 by Representative Murray, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 66 by Representative Murray:

Representatives Toomy, Murray and Morrell.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives



**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 702 by Representative Durand, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 702 by Representative Durand:

Representatives Durand, Alario and Broome.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 846 by Representative Morrish, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1485 by Representative Alario, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1618 by Representative Fauchaux, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1628 by Representative Alario, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1202 by Representative Townsend, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1202 by Representative Townsend:

Representatives Townsend, Martiny and White.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1030 by Representative Pinac, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate

Amendment(s) to House Bill No. 507 by Representative Marchand, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 635 by Representative Quezaire, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1126 by Representative Murray, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1704 by Representative Townsend, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1327 by Representative Lancaster, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1215 by Representative LaFleur, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1551 by Representative Heaton, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****DISAGREEMENT TO HOUSE BILL**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 619 by Representative Alario, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1 by Representative Alario:

Representatives Alario, Murray and Salter.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 411 by Senator Bajoie:

Representatives Durand, Townsend and Jefferson.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 757 by Senator Johns:

Representatives Baylor, Hunter and Katz.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 831 by Senator Ellington:

Representatives Pierre, Quezaire and Hunter.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****HOUSE CONFEREES APPOINTED**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 619 by Representative Alario:

Representatives Alario, DeWitt and Murray.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House****PASSED SENATE BILLS AND  
JOINT RESOLUTIONS**

June 18, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 877 (Substitute for Senate Bill No. 511  
by Senator Ellington)—**  
BY SENATORS ELLINGTON AND MICHOT  
AN ACT

To enact Chapter 8-K of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:844.40 through 844.54, relative to telecommunications; to create the "Local Government Fair Competition Act"; to provide for legislative findings; to provide for definitions; to provide limitations for providing certain cable television, telecommunications, and advanced services; to establish procedures for offering certain cable television, telecommunications, and advanced services; to provide for public hearings; to provide certain quality of service standards; to provide for enforcement and appeal; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 878 (Substitute for Senate Bill No. 705  
by Senator Jackson)—**  
BY SENATOR JACKSON  
AN ACT

To enact R.S. 33:9110, relative to communication districts; to provide for definitions; to require multi-line phone systems to provide automatic location information; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 561—**  
BY SENATORS FONTENOT AND MCPHERSON  
AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), and to enact R.S. 18:425.2 and 426.1, relative to the authority of parish boards of election supervisors to provide for two commissioners to work half of an election day; to authorize any parish board of election supervisors in the event of a shortage of commissioners to create two equal work shifts for commissioners; to authorize such parish board of election supervisors to select commissioners to serve one or two shifts on an election day; to provide for the compensation of such commissioners; to require the State Board of Election Supervisors to prescribe uniform rules for the selection, scheduling, and procedures for creating two equal shifts for commissioners on election day; to provide for the compensation of such commissioners; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 593—**

BY SENATORS B. GAUTREAUX, AMEDEE, DUPLESSIS, HOLLIS, MICHOT AND SMITH

AN ACT

To enact Subpart A-1 of Part X of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3397.1 through 3397.6, relative to economic development; to authorize and provide for the establishment, management, operation, functions, and activities of regional research and development parks; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 562—**

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 40:31.32(D) and to enact R.S. 40:1154(C), relative to installers and maintenance providers of onsite treatment systems; to provide qualifications and requirements for such licenses; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 696—**

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 11:292, relative to state and statewide public retirement systems; to provide with respect to benefits and contributions paid to any member, former member or retiree, spouse or former spouse; to provide that any retirement allowance, benefit or refund of accumulated contributions paid to any member, former member, retiree, spouse or former spouse shall be subject to garnishment or court-ordered assignment to pay child support; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 591—**

BY SENATOR CHEEK

AN ACT

To enact R.S. 22:11.1, relative to health insurance; to provide for a credentialing process for health insurance issuers who contract directly with health care providers for health care services; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 781—**

BY SENATOR LENTINI

AN ACT

To enact R.S. 15:567.1, relative to capital cases; to provide with respect to mental incapacity to proceed to execution; to provide for procedures authorizing a defendant to raise the issue of mental incapacity to proceed to execution; to provide for the filing of a petition and to provide for the contents of that petition; to provide with respect to the burden of proof and the introduction of evidence; to provide for the submission of certain records, data, reports, and other information; to provide for a waiver of confidentiality and privilege with respect to information submitted; to provide for an independent psychological or psychiatric examination; to provide for the dismissal of the petition in certain circumstances; to provide

with respect to treatment of a defendant found to be incompetent to proceed to execution; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 879 (Substitute for Senate Bill 867 by Senator Irons)—**

BY SENATOR JONES

AN ACT

To enact R.S. 17:427.4, relative to public schools and school children; to benefit schools and children by encouraging the availability of qualified teachers; to provide for a program designed to provide incentives for qualified teachers to locate and work in disadvantaged areas; to authorize the development and establishment of a teachers' homebuyer program for certain certified teachers; to establish an advisory panel to develop such program; to provide for program approval; to authorize the state treasurer to administer the program; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 622—**

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:102(A) and (B)(3)(d), and 542(A), (B), (C)(1)(introductory paragraph), and (D), and to enact R.S. 11:102(B)(5), relative to state retirement systems; to provide relative to payment of unfunded accrued liabilities of the Louisiana State Employees' Retirement System; to provide for amortization of unfunded accrued liabilities over a forty-year period or in accordance with standards promulgated by the Governmental Accounting Standards Board from the time of occurrence; to include negative employee experience account balances in the unfunded accrued liability; to provide for experience account credits; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 876 (Substitute for Senate Bill No. 857 by Senator Ullo)—**

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 40:1662.3(6), (7), (12), (14), (15), (17), (24), (26), (27), and (28), 1662.4(A)(3) and (4), (B), the introductory paragraph of (C), (C)(1), (3), (4), (6), and (7), 1662.6(A)(3), (B)(6)(a) and (b) and (9), (C)(5) and (6)(a) and (b), and (9), 1662.7(A), (B), (C), the introductory paragraph of (D), (D)(2), (E), and (F), 1662.8(A), the introductory paragraph of (B), (B)(2)(g) and (h), (3)(a) and (b), and (4), 1662.9(A)(3), (5) and (11), (C), (D)(1) and (3), and (E), 1662.11(A)(2), 1662.12(A)(2) and (5), 1662.14(A)(2), the introductory paragraph of (3), (3)(b), and (5), (C)(2), (3), (5), and (6), and 1662.15(B)(2), and to enact R.S. 40:1662.3(29), 1662.6(B)(6)(d), 1662.8(B)(2)(i), (j) and (k), 1662.9(A)(12), (13) and (14), 1662.14(C)(7), and 1662.16(D), relative to public health and safety; to provide for alarm industry and locksmith licensing standards; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 875 (Substitute for Senate Bill No. 336 by Senator McPherson)—**

BY SENATOR MCPHERSON

**AN ACT**

To amend and reenact R.S. 17: 403(C), R.S. 36:258(E)(1), and R.S. 46:2503(A) and to enact Chapter 50-A of Title 37 of Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3386 through 3390.6, and to repeal R.S. 36:259(E)(19), R.S. 46:2503(E), and Chapter 50 of Title 37 of Louisiana Revised Statutes of 1950, comprised of R.S. 37:3371 through 3384, relative to addictive disorder professionals; to provide for definitions; to provide for categories of addictive disorder professionals; to provide for powers and duties of the Department of Health and Hospitals, office for addictive disorders; to provide for licensure, certification, and registration of addictive disorder counselors and professionals; to authorize the department to impose application fees; to provide with respect to penalties; to establish the Addictive Disorders Professionals Licensing and Certification Fund in the state treasury; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 30—**

BY SENATOR DUPRE AND REPRESENTATIVES BALDONE AND RICHMOND

**AN ACT**

To amend and reenact R.S. 32:407(A)(2) and (3), relative to driver's licenses; to increase the time required for possession of a learner's permit prior to obtaining an intermediate license in certain circumstances; to provide for exceptions; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 102—**

BY SENATOR CHAISSON

**AN ACT**

To amend and reenact R.S. 13:124, relative to the Supreme Court of Louisiana; to provide for the expenditure of the balance of fees collected by the clerk; to provide that fund balances may be used to defray the expense of employment benefits, including dental insurance; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 40—**

BY SENATOR MCPHERSON

**AN ACT**

To enact R.S. 39:199(G), relative to information technology; to provide for a program for the acquisition of data processing equipment and software that allows small businesses to participate; to provide for the establishment of procedures; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 785—**

BY SENATOR JONES

**AN ACT**

To enact R.S. 17:3226(D) and 3228(D), relative to the authority of the Board of Regents to establish learning centers; to authorize the Board of Regents to establish the Northeast Louisiana Delta Learning Center; to provide for the management, and supervision of the learning center; to authorize the establishment of a commission and advisory council; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 859—**

BY SENATOR ROMERO

**AN ACT**

To enact R.S. 27:403, relative to the Louisiana Gaming Control Law; to provide with respect to the status of licenses issued in good faith reliance on a survey which was wrong; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 815—**

BY SENATOR SCHEDLER

**AN ACT**

To enact R.S. 36:259(II) and Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3651 through 3663, relative to the certification of employee assistance professionals; to provide for definitions; to create the Board of Certified Employee Assistance Professionals; to provide for authority of the board; to provide for professional certification requirements; to provide for operation of the board; to provide for procedures for disciplinary action; to provide for confidentiality of records; to provide for protection for the practice of other professions; to provide for prohibited acts and penalties; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 44—**

BY SENATOR NEVERS AND REPRESENTATIVE STRAIN

**A JOINT RESOLUTION**

Proposing to add Article VII, Section 10.12 of the Constitution of Louisiana, relative to providing funds for the support of dairy farmers; to establish the Dairy Farmer Support Fund as a special fund in the state treasury; to provide for sources of revenue, and for deposit and uses of monies in the fund; to authorize the legislature by law to establish and implement programs to assist Louisiana dairy farmers; to specify an election for submission of the proposition to electors and provide a ballot proposition; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 545—**

BY SENATOR DUPLESSIS

**AN ACT**

To amend and reenact R.S. 33:4701(A) and 4702(B)(1), (2)(introductory paragraph), (b), (f), (g), (h), and (i), (4) and (6), and (C)(1), 4703(A), 4706(B), 4707(A)(1) and (4), 4708(A), (B)(2) and (4) and 4880, and to enact R.S. 33:4702(B)(2)(j) and (k), and to rename Part I of Chapter 12-A of Title 33 of the

Louisiana Revised Statutes of 1950, "New Orleans Regional Business Park," relative to the New Orleans Business and Industrial District; to change the name of the district; to provide for the composition of the board; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Appointment of Conference Committee  
on House Bill No. 635**

The President of the Senate appointed on the Conference Committee on House Bill No. 635 the following members of the Senate: Senators Ellington, Amedee and Dupre.

**Appointment of Conference Committee  
on House Bill No. 1126**

The President of the Senate appointed on the Conference Committee on House Bill No. 1126 the following members of the Senate: Senators Hines, Jones and Dardenne.

**Introduction of Resolutions,  
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 159—**

BY SENATOR N. GAUTREAUX

**A RESOLUTION**

To acknowledge the enormous contribution made by Brady and Bonnie Broussard to the city of Abbeville, to commend them on their years of commitment and dedication, and to honor them for the selfless spirit of service their example provides to the community.

On motion of Senator N. Gautreaux, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 160—**

BY SENATORS N. GAUTREAUX, CRAVINS, HINES AND THEUNISSEN

**A RESOLUTION**

To recognize and commend the members of the Louisiana State University at Eunice baseball team and coaching staff on a spectacular regular season and for an outstanding performance finishing third at the National Junior College Athletic Association (NJCAA) Division II World Series.

On motion of Senator N. Gautreaux, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 161—**

BY SENATOR N. GAUTREAUX

**A RESOLUTION**

To commend John and Hilda Picard of Abbeville on receiving the "Graduate Parents of the Year Award" from the Babe Ruth League.

On motion of Senator N. Gautreaux, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 162—**

BY SENATOR MARIONNEAUX

**A RESOLUTION**

To express support to the family of Paul Johnson Jr., for his safe return after being held hostage in Saudi Arabia.

On motion of Senator Marionneaux, the resolution was read by title and withdrawn from the files of the Senate.

**SENATE RESOLUTION NO. 163—**

BY SENATORS BOISSIERE, BAJOE, IRONS AND HAINKEL

**A RESOLUTION**

To continue the New Orleans Regional Task Force on Economic Development and Health Workforce Training to plan and implement regional initiatives to meet health care employment needs and to promote economic growth and jobs in the health care industry.

On motion of Senator Boissiere, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 164—**

BY SENATOR JACKSON

**A RESOLUTION**

To direct the Department of Health and Hospitals, in conjunction with the Senate Committee on Health and Welfare, to study the current licensure standards for hospice providers and to determine whether additional licensure standards are necessary and, if needed, what the additional criteria for licensure of hospices in Louisiana should be.

On motion of Senator Jackson, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 165—**

BY SENATOR ROMERO

**A RESOLUTION**

To urge and request the United States Environmental Protection Agency to act immediately to renew the National Pollutant Discharge Elimination System permits for the Gulf of Mexico.

On motion of Senator Romero the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 166—**

BY SENATOR HAINKEL

**A RESOLUTION**

To declare June 24, 2004, as Fortier Manufacturing Complex Day at the Louisiana Senate and to commend the employees, past, present, and future of the Fortier Manufacturing complex.

On motion of Senator Hainkel, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 167—**

BY SENATOR MARIONNEAUX

**A RESOLUTION**

To offer the condolences of the Senate to the family of Paul Marshall Johnson and to express outrage and grief over the execution of this American citizen.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**SENATE CONCURRENT RESOLUTION NO. 165—**

BY SENATORS BOISSIERE, IRONS, DUPLESSIS AND BOASSO

**A CONCURRENT RESOLUTION**

To urge and request the Norfolk Southern Railroad to work in cooperation with the Regional Transit Authority to allow the proposed Desire Streetcar to cross the Norfolk Southern Railroad tracks at the intersection of St. Claude Avenue at Press Street in New Orleans.

The resolution was read by title. Senator Boissiere moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Barham	Hainkel	Mount
Boasso	Heitmeier	Nevers
Boissiere	Holden	Romero
Cain	Hollis	Smith
Cheek	Irons	Theunissen
Dardenne	Jackson	Ullio
Duplessis	Jones	
Dupre	Lentini	
Total—34		

**NAYS**

Total—0

**ABSENT**

Chaisson	Fields	Schedler
Cravins	Kostelka	
Total—5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Rules Suspended**

Senator Irons asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions  
Returned from the House  
of Representatives with Amendments**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

**Rules Suspended**

Senator Irons asked for and obtained a suspension of the rules for the purpose of taking up at this time Senate Bill No. 871 out of its regular order.

**SENATE BILL NO. 871 (Substitute for Senate Bill No. 534  
by Senator Irons)—**

BY SENATOR IRONS

**AN ACT**

To amend and reenact R.S. 17:17, and to enact R.S. 17:17.1 and 17.2, relative to physical fitness in schools; to provide relative to the physical activity of students; to provide for legislative findings and objectives; to establish and provide for awards for schools with outstanding programs, based on funding; to establish and provide for the implementation of a pilot program consisting of an assessment measuring the health-related fitness of students in certain grades; to provide for the selection of school systems for participation; to provide for program development; to provide for limitations; to provide for reports; to provide relative to funding; and to provide for related matters.

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Engrossed Senate Bill No. 871 by Senator Irons

**AMENDMENT NO. 1**

On page 1, line 2, after "enact R.S." and before "relative" change "17:17.1 and 17.2," to "17:17.1, 17.2, and 17.3,"

**AMENDMENT NO. 2**

On page 1, line 3, after "activity" insert "and nutrition"

**AMENDMENT NO. 3**

On page 1, line 6, after "program" delete the remainder of the line and on line 7 delete "related fitness of students in certain grades;" and insert in lieu thereof a semicolon ";"

**AMENDMENT NO. 4**

On page 1, line 12, after "and R.S." delete the remainder of the line and insert "17:17.1, 17.2, and 17.3"

**AMENDMENT NO. 5**

On page 1 delete lines 14 through 17 in their entirety and insert in lieu thereof the following:

"§17. Physical ~~activity~~ fitness; students; ~~required findings~~; purpose

A.(1) Effective for the 2004-2005 school year and thereafter, each public school with grades kindergarten through six shall provide at least thirty minutes each school day of quality physical activity for students. The legislature finds that childhood obesity is a growing problem in this state and that the promotion of physical activity and



the promotion of the consumption of snacks of higher nutritional value during the school day for children are first steps in combating this problem and in changing the"

AMENDMENT NO. 6

On page 2, at the end of line 3, delete the period "." and add "and by providing and encouraging the consumption of more highly nutritious snacks."

AMENDMENT NO. 7

On page 2, line 4, after "activity" insert "and healthy eating habits"

AMENDMENT NO. 8

On page 2, line 8, after "Section" and before "shall" insert "and R.S. 17:17.1, 17.2, and 17.3"

AMENDMENT NO. 9

On page 2, between lines 15 and 16, insert the following:

"(3) To promote improved nutritional levels in children by providing for snacks with higher nutritional value during the school day."

AMENDMENT NO. 10

On page 2, at the beginning of line 16, change "(3)" to "(4)"

AMENDMENT NO. 11

On page 2 delete line 17 and insert in lieu thereof "physical activity and improved nutrition and the effects of both on positive outcomes."

AMENDMENT NO. 12

On page 2, at the beginning of line 18, change "(4)" to "(5)"

AMENDMENT NO. 13

On page 2 delete line 20 and insert in lieu thereof the following:

"(6) To promote daily physical activity, the enjoyment of physical activity, the improvement of nutritional levels and eating habits."

AMENDMENT NO. 14

On page 2 delete lines 22 through 25 in their entirety and insert in lieu thereof the following:

"§17.1. Required physical activity in schools

A.(1) Effective for the 2004-2005 school year and thereafter, each public elementary school that includes any of the grades kindergarten through six shall provide at least thirty minutes each school day of quality moderate to vigorous physical activity for students."

AMENDMENT NO. 15

On page 3, at the beginning of line 5, change "D." to "B."

AMENDMENT NO. 16

On page 3, line 10, change "E." to "C."

AMENDMENT NO. 17

On page 3, at the beginning of line 20, change "§17.1." to "§17.2."

AMENDMENT NO. 18

On page 4, at the beginning of line 8, change "§17.2" to "§17.3."

AMENDMENT NO. 19

On page 4 delete lines 10 through 14 and insert in lieu thereof the following:

"A.(1) Subject to the approval of its city, parish, or other local public school board, referred to in this Section as "local school board," and pursuant to rules and guidelines adopted by the State Board of Elementary and Secondary Education, referred to in this Section as "state board," any public school that contains grades seven, eight, nine, or ten may apply to the state board for participation in a pilot program established by this Section."

AMENDMENT NO. 20

On page 4, after "(2)" delete the remainder of the line and insert in lieu thereof "The"

AMENDMENT NO. 21

On page 4, line 16, after "eight" delete the remainder of the line and delete lines 17 through 19 and insert "schools from each of the eight regional service districts, as established in R.S. 17:3781, et seq., to participate in the program."

AMENDMENT NO. 22

On page 4 delete line 22 through 29 and on page 5 delete line 1 through 6 and insert in lieu thereof the following:

"B. The program shall consist of the following elements in a three-year study pursuant to the development and implementation of recommendations provided pursuant to Subsection C of this Section:

(1) An assessment that measures aspects of health-related fitness, rather than skill or agility, of the students in participating schools. The assessment shall be administered during the month of September beginning in the 2005-2006 school year and each subsequent year of the pilot and may include a post-assessment during the school year as may be determined by the state board pursuant to the development of the program as provided in Subsection C of this Section.

(2)(a) An assessment of the changes in weight status of the students who are enrolled in participating schools and who are receiving combined nutritional and physical activity intervention versus a nutritional intervention or physical activity intervention alone.

(b) The pilot study shall be done as a randomized, controlled, four-group, repeated measures study.

(c) Participating schools shall be randomly assigned to one of the following four groups:

(i) A group in which the students shall receive nutritional intervention only.

(ii) A group in which the students shall receive physical activity intervention only.

(iii) A group in which the students shall receive combined nutritional intervention and physical activity intervention.

(iv) A group in which the students shall receive no intervention.

(d)(i) Nutritional intervention shall require that not less than fifty percent of beverages offered for sale to students for consumption at school, other than those sold as part of the lunch program, shall be one of the following options:

(aa) Fruit juice or drinks that are composed of one hundred percent fruit juice and that do not contain added natural or artificial sweetener.

(bb) Drinking water.

(cc) Milk, including low-fat, nonfat, chocolate, and nondairy milk.

(dd) Electrolyte replacement beverages which contain forty-two grams or less of sweetener per twenty-one ounce serving.

(ii) Nutritional intervention shall require that not less than fifty percent of foods offered for sale to students for consumption at school, other than foods sold as part of the lunch program, shall be food items that meet all of the following requirements:

(aa) Have not more than thirty-five percent of the total calories from fat unless the item is seeds or nuts.

(bb) Have not more than ten percent of the total calories from saturated fat.

(cc) Have not more than thirty grams per serving of sugar unless the item is a fruit or vegetable.

(iii) Beverages and foods that are offered for sale to students for consumption at school, other than those sold as part of the lunch program, that comply with the requirements of this Subparagraph may be offered for sale at participating schools beginning with the last ten minutes of each lunch period and continuing for the balance of the school day. Other beverages and foods may be offered in compliance with the current rules regulating such concessions adopted by the State Board of Elementary and Secondary Education.

(3) The collection of individual baseline and longitudinal data to measure the improvement of each individual student. No assessment shall compare any student to another."

**AMENDMENT NO. 23**

On page 5, line 7, after "agencies" and before "and" insert a comma "," and add "representatives,"

**AMENDMENT NO. 24**

On page 5, line 8, after "develop" delete the remainder of the line and insert "the elements of the pilot program and the recommendations for its implementation, including"

**AMENDMENT NO. 25**

On page 5, line 15, after "Obesity" and before "Prevention" delete the comma ","

**AMENDMENT NO. 26**

On page 5, between lines 17 and 18, insert the following:

"(8) A representative designated by the governing authority of the Louisiana Soft Drink Association.

(9) A representative designated by the governing authority of the Vending Machine Operators of Louisiana."

**AMENDMENT NO. 27**

On page 5 delete lines 18 through 21 in their entirety and insert in lieu thereof the following:

"D.(1) Each participating school may accept and incorporate appropriate educational and marketing material that supports the goals of increased physical fitness and activity provided by participating food and beverage suppliers.

(2) Participating food and beverage suppliers shall be encouraged to measure the effect of nutritional interventions on the revenue to the supplier and to the school earned at any school in which nutritional intervention occurs and to report the result of such measure to the collaborative group specified in Subsection C of this Section.

E.(1) Each school selected to participate in the program shall provide a comprehensive report to the state board at the end of each school year on the effectiveness of the pilot program in accomplishing the objectives specified in R.S. 17:17(B)."

**AMENDMENT NO. 28**

On page 5, at the beginning of line 26, change "E." to "F."

**AMENDMENT NO. 29**

On page 5, at the beginning of line 28, change "F." to "G."

**AMENDMENT NO. 30**

On page 6, at the beginning of line 2, change "G." to "H."

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 871 by Senator Irons

**AMENDMENT NO. 1**

In House Committee Amendment No. 20 proposed by the House Committee on Education, on line 2, following "page 4," insert "line 15,"

Senator Irons moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

**NAYS**

Total—0

**ABSENT**

Fields	Schedler
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Irons moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 23—  
BY SENATOR MOUNT**

**AN ACT**

To amend and reenact R.S. 4:144(A), relative to the Louisiana State Racing Commission; to increase the at-large membership of the commission; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 23 by Senator Mount

##### AMENDMENT NO. 1

On page 1, line 15, after "district and" delete "additionally" and after "four persons" insert "at large,"

##### AMENDMENT NO. 2

On page 1, delete lines 16 and 17 and one page 2, delete line 1 and at the beginning of line 2, delete "parish." and insert in lieu thereof "all appointed by the governor."

Senator Mount moved to concur in the amendments proposed by the House.

#### Motion

Senator Malone moved as a substitute motion that the Senate reject the amendments proposed by the House.

Senator Mount objected.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Adley	Dardenne	Jackson
Amedee	Duplessis	Kostelka
Barham	Ellington	Lentini
Boasso	Fontenot	Malone
Boissiere	Gautreaux, N	Marionneaux
Cheek	Holden	Smith
Cravins	Hollis	Ullo
Total—21		

##### NAYS

Mr. President	Gautreaux, B	Michot
Bajoie	Hainkel	Mount
Cain	Irons	Nevers
Chaisson	Jones	Romero
Dupre	McPherson	Theunissen
Total—15		

##### ABSENT

Fields	Heitmeier	Schedler
Total—3		

The Chair declared the amendments were rejected. Senator Malone moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

#### SENATE BILL NO. 157—

BY SENATORS CAIN, IRONS, ADLEY, BAJOE, MICHOT, SMITH, KOSTELKA, BOISSIERE AND DARDENNE

##### AN ACT

To amend and reenact R.S. 22:253(A), relative to funeral policies and burial insurance; to provide for payment of benefits to policy holders; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

#### LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 157 by Senator Cain

##### AMENDMENT NO. 1

On page 2, line 2, following "Part VII" and before "of the" insert "of Chapter 1"

Senator Cain moved to concur in the amendments proposed by the House.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

##### NAYS

Total—0

##### ABSENT

Fields	Schedler
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Cain moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

#### Senator Mount in the Chair

## SENATE BILL NO. 177— BY SENATOR HAINKEL

### AN ACT

To amend and reenact Chapters 8 and 9 of Title II of Book III of the Civil Code, to be comprised of Articles 1734 through 1743, and 1744 through 1751, relative to donations; to provide relative to donation made inter vivos in contemplation of marriage by third persons; to provide relative to interspousal donation; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 177 by Senator Hainkel

#### AMENDMENT NO. 1

On page 5, line 21, after "To" and before "extent" change "the" to "that"

#### AMENDMENT NO. 2

On page 8, line 21, change "prospective" to "present"

#### AMENDMENT NO. 3

On page 10, after line 12, insert the following:

"Section 2. The provisions of this Act shall become effective on September 1, 2005."

Senator Hainkel moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fontenot	Malone
Bajoie	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boasso	Hainkel	Michot
Boissiere	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Cain	Fields	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

## SENATE BILL NO. 366— BY SENATOR HINES

### AN ACT

To amend and reenact R.S. 40:1484.4(C)(4)(a), (b), (c) and (e), and 1484.9(A)(intro para), relative to air-supported structures; to increase and to impose new fines for violations; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 366 by Senator Hines

#### AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert in lieu thereof "R.S. 40:1484.4(C)(4)(c) and (e),"

#### AMENDMENT NO. 2

On page 1, line 6, after "Section 1." delete the remainder of the line and insert in lieu thereof "R.S. 40:1484.4(C)(4)(c) and (e) are"

#### AMENDMENT NO. 3

On page 1, delete lines 11 through 17 in their entirety and on page 2, delete line 1 through 9 in their entirety and insert in lieu thereof the following:

"(4) \* \* \*

#### AMENDMENT NO. 4

On page 2, delete lines 24 through 27 in their entirety

Senator Hines moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fontenot	Malone
Barham	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	McPherson
Boissiere	Hainkel	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

## NAYS

Total—0

## ABSENT

Bajoie Fields Schedler  
Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Hines moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 408—**  
BY SENATOR BAJOE

## AN ACT

To enact R.S. 36: 259(II) and 919.7 and Part LXI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.231 through 1300.233, relative to women's health; to create the Women's Health Commission; to provide for the membership, filling of vacancies, meetings, compensation, domicile, election of officers, powers and duties, and termination; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 408 by Senator Bajoie

AMENDMENT NO. 1

On page 3, delete lines 23 and 24 in their entirety

AMENDMENT NO. 2

On page 3, at the beginning of line 25, change "(y)" to "(w)"

AMENDMENT NO. 3

On page 3, after line 29, insert: "(aa) One representative of the Louisiana State Comprehensive Cancer Control Plan Coalition selected by the coalition."

AMENDMENT NO. 4

On page 3, delete lines 27 through 29 in their entirety

AMENDMENT NO. 5

On page 4, delete lines 1 and 2, and insert "(2) Each appointment shall be"

AMENDMENT NO. 6

On page 5, delete lines 15 and 16 in their entirety

AMENDMENT NO. 7

On page 5, line 23, after "Part." delete the remainder of the line

AMENDMENT NO. 8

On page 5, delete line 24 in its entirety

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Broome to Reengrossed Senate Bill No. 408 by Senator Bajoie

AMENDMENT NO. 1

On page 1, at the end of line 3, change "through 1300.233," to "and 1300.232,"

AMENDMENT NO. 2

On page 1, line 6, after "officers," change "powers and duties, and termination;" to "and powers and duties;"

AMENDMENT NO. 3

On page 2, line 6, change "through 1300.233," to "and 1300.232,"

AMENDMENT NO. 4

On page 5, deletes lines 25 through 28 in their entirety

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Scalise to Reengrossed Senate Bill No. 408 by Senator Bajoie

AMENDMENT NO. 1

In Amendment No. 1 proposed by House Committee on Health and Welfare and adopted by the House of Representatives on June 8, 2004, delete line 2 and insert "On page 3, line 23, after "member from" delete the remainder of the line and insert "the Catholic Health Association of Louisiana."

AMENDMENT NO. 2

Delete Amendment No. 2 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on June 8, 2004

AMENDMENT NO. 3

Delete Amendment No. 4 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on June 8, 2004

AMENDMENT NO. 4

Delete Amendments No. 6 through 8 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on June 8, 2004

Senator Bajoie moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fontenot	Marionneau
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero

Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Fields	Schedler
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Bajoie moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 415—**  
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 33:2493(C)(1), and to repeal R.S. 33:2493(C)(2), relative to civil service; to provide with respect to fire and police civil service for municipalities between 13,000 and 250,000; to remove the requirement that any applicant admitted to a civil service test for a position above entry level be a qualified elector of the state of Louisiana; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 415 by Senator Michot

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 33:2493(C)(2)," to "R.S. 33:2493(C)(2) and (3),"

AMENDMENT NO. 2

On page 1, line 16, change "R.S. 33:2493(C)(2) is" to "R.S. 33:2493(C)(2) and (3) are"

Senator Michot moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fontenot	Malone
Barham	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	McPherson

Boissiere	Hainkel	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Fields	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Michot moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 427—**  
BY SENATOR JONES

AN ACT

To enact R.S. 49:149.18, relative to public buildings; to provide for naming of state buildings; to require that all names for state public buildings be confirmed by the Senate; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 427 by Senator Jones

AMENDMENT NO. 1

On page 1, line 3, after "buildings be" delete the remainder of the line and on line 4, delete "Senate;" and insert "approved by certain committees of the legislature, meeting jointly;"

AMENDMENT NO. 2

On page 1, line 9, after "building" and before "constructed" delete the comma ","

AMENDMENT NO. 3

On page 1, line 9, after "public funds and" and before "title" insert "the"

AMENDMENT NO. 4

On page 1, line 10, after "state" and before "shall" delete "or any of its subdivisions"

AMENDMENT NO. 5

On page 1, line 11, after "name is" delete the remainder of the line and delete lines 12 and 13 and insert the following: "submitted to and approved by Committee on Senate and Governmental Affairs and the Committee on House and Governmental Affairs, meeting jointly. No action shall be taken by the joint committee, except by the favorable

vote of a majority of the members thereof from each house present and voting, each house voting separately."

Senator Jones moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

#### NAYS

Total—0

#### ABSENT

Fields	Schedler
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### SENATE BILL NO. 477—

BY SENATOR DARDENNE

#### AN ACT

To amend and reenact R.S. 40:962.1.1(A), relative to possession of ephedrine, pseudoephedrine, or phenylpropanolamine or their salts, optical isomers and salts of optical isomers; to redefine the crime relative to the amount of such substances; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 477 by Senator Dardenne

### AMENDMENT NO. 1

On page 1, delete line 17 in its entirety and insert in lieu thereof the following: "powder form unless the weight of the ephedrine, pseudoephedrine, or phenylpropanolamine or their salts, optical isomers or salts of optical isomers is less than twelve grams and the powder is in the manufacturer's original packaging and may"

Senator Dardenne moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

#### NAYS

Total—0

#### ABSENT

Fields	Schedler
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### SENATE BILL NO. 586—

BY SENATOR DARDENNE

#### AN ACT

To amend and reenact R.S. 32:1254(N)(3)(f)(i), (iii), and (v) and to enact R.S. 32:1254.2, relative to motor vehicles; to authorize the Motor Vehicle Commission to render advisory opinions relative to the distribution and sale of motor vehicles; to provide a procedure for applying to the commission for an advisory opinion and for declaratory orders; to provide relative to sales conditioned on financing; to provide certain requirements for suppliers of mechanical repairs and services for motor vehicles; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 586 by Senator Dardenne

## AMENDMENT NO. 1

On page 1, line 8, after "vehicles;" insert "to provide for recovery of vehicle in certain instances;"

## AMENDMENT NO. 2

On page 2, at the end of line 24, after "unlocked" delete the period "." and insert in lieu thereof "and without a breach of peace."

Senator Dardenne moved to concur in the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Duplessis	Jones
Adley	Dupre	Lentini
Amedee	Ellington	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Total—36		

### NAYS

Total—0

### ABSENT

Fields	Kostelka	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

## SENATE BILL NO. 641—

BY SENATORS MALONE, NEVERS AND CHEEK

### AN ACT

To enact R.S. 17:1682(H) and 1682.2, relative to scholarships for disabled firefighters and their spouses; to provide for definitions; to provide for scholarship requirements; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Reengrossed Senate Bill No. 641 by Senator Malone

## AMENDMENT NO. 1

On page 1, line 12, after "and" and before "Spouse" change "permanently disabled." to "is permanently disabled as a result of an injury sustained in the performance of his duties as a firefighter."

## AMENDMENT NO. 2

On page 1, line 14, after "injury" and before "which" insert "which occurred in the performance of his duties as a firefighter and"

## AMENDMENT NO. 3

On page 1, line 15, after "the" and before "death." change "firefighters" to "firefighter's"

## LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 641 by Senator Malone

## AMENDMENT NO. 1

On page 3, line 4, at the beginning of the line, change "B." to "D."

## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative M. Powell to Reengrossed Senate Bill No. 641 by Senator Malone

## AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 17:1682(F) and to"

## AMENDMENT NO. 2

On page 1, line 6, after "Section 1." and before "R.S." insert "R.S. 17:1682(F) is hereby amended and reenacted and"

## AMENDMENT NO. 3

On page 1, between lines 8 and 9, insert the following:

"F. "Child" means the offspring of a firefighter ~~or his spouse~~ living in the same household with and dependent upon the firefighter for support and the offspring of a firefighter dependent upon him for support, whether or not living in the same household.

\* \* \*

Senator Malone moved to concur in the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers



Cain	Holden	Romero
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Fields	Schedler
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Malone moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 653—**  
BY SENATOR JONES

## AN ACT

To amend and reenact R.S. 44:4.1(B)(31), and to enact R.S. 47:1508(B)(20) and R.S. 51:936(C) and (D), relative to the Department of Economic Development; to provide for cooperation between the Department of Economic Development and other state agencies; to authorize the department to obtain certain information in the possession of any state agency; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 653 by Senator Jones

AMENDMENT NO. 1

On page 2, line 8, change "R.S. 51:936(B)" to "R.S. 51:936(C)"

AMENDMENT NO. 2

On page 2, at the end of line 17, delete the period "." and insert "to the same extent heretofore provided."

AMENDMENT NO. 3

On page 3, at the end of line 8, after "confidentiality and privilege." insert the following: "Any information obtained by the Louisiana Economic Development Corporation from the Department of Economic Development pursuant to this Section shall remain confidential and privileged in the same manner as the Department of Economic Development would maintain confidentiality and privilege."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Murray to Reengrossed Senate Bill No. 653 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 44.4.1(B)(31)" delete the remainder of the line and insert "and R.S. 51:2454(C)(1), to enact R.S. 47:1508(B)(20) and R.S."

AMENDMENT NO. 2

On page 1, line 3, after "51:936(C) and (D)," insert "and to repeal R.S. 51:2454(C)(2),"

AMENDMENT NO. 3

On page 3, after line 8 insert the following:

"Section 4. R.S. 51:2454(C)(1) is hereby amended and reenacted to read as follows:

§2454. Rebate approval

\* \* \*

C.(1)(a) No contract shall be executed ~~pursuant to~~ under this Chapter with an employer who has defaulted on or otherwise not repaid any loan or other obligation involving public funds nor with any employer who has ever declared bankruptcy under which an obligation of the employer to pay or repay public fund or monies was discharged as part of such bankruptcy.

(b) No contract shall be executed under this Chapter with any employer who is in default on any filing or payment with or to the state or any of its agencies or political subdivisions and in which an assessment or judgement that is final and nonappealable has been rendered, and remains outstanding, in favor of the state, or any of its agencies, or political subdivisions.

(c) Violation of the provisions of this Subsection shall void the contract and any rebates paid to the employer prior to the date of discovery of such violation shall be added to the income tax liability of the employer for the taxable year in which the discovery occurred, with interest from the date of violation, and the employer shall receive no further rebates pursuant to this Chapter.

\* \* \*

Section 5. R.S. 51:2454(C)(2) are hereby repealed in their entirety."

Senator Jones moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Jones
Adley	Dupre	Kostelka
Amedee	Ellington	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Fields                      Lentini                      Schedler  
Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 657—**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 13:1384, relative to criminal district courts; to provide for funding of certain positions or office and functions; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Murray to Reengrossed Senate Bill No. 657 by Senator Boissiere

**AMENDMENT NO. 1**

On page 1, line 2, after "13:1384" delete the remainder of the line and insert the following:

"and to enact R.S. 13:2507.1, relative to criminal district and other courts; to provide for"

**AMENDMENT NO. 2**

On page 1, line 3, after "functions;" and before "to" insert "to establish certain expense funds;"

**AMENDMENT NO. 3**

On page 1, line 6, after "reenacted" insert "and R.S. 13:2507.1 is hereby enacted"

**AMENDMENT NO. 4**

On page 1, between lines 15 and 16, insert the following:

\* \* \*

"§2507.1 Judicial Expense Fund for the Traffic Court of New Orleans

A. There is hereby established the judicial expense fund for the Traffic Court of New Orleans, which shall be a special account for use in administration of the court. The judicial administrator shall deposit into the fund any monies specifically designated for such purpose. The judges of the court, en banc, shall have control over and administer the funds and all disbursements made therefrom. They shall cause to be conducted an annual audit of the fund and the books and accounts relating thereto, and shall file the same with the legislative auditor where it shall be available for public inspection.

B. The judicial expense fund may be used for any operating expense of the court, including salaries for court reporters, bailiffs, minute clerks, and other court personnel and is in addition to any and all other funds, salaries, expenses, or other monies that are provided, authorized, or established by law. No salary shall be paid from the judicial expense fund to any judges of the court."

Senator Boissiere moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Kostelka
Adley	Dupre	Lentini
Amedee	Ellington	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Total—36		

**NAYS**

Hainkel  
Total—1

**ABSENT**

Fields                      Schedler  
Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 668—**  
BY SENATOR HOLLIS

AN ACT

To enact R.S. 6:418.1, relative to financial institutions; to provide that only chartered financial institutions may accept, pay, or hold deposits; to provide for criminal penalties and fines; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 668 by Senator Hollis

**AMENDMENT NO. 1**

On page 1, at the beginning of line 2, after "To" delete the remainder of the line and delete lines 3 and 4 and insert in lieu thereof "amend and reenact R.S. 47:360(E), relative to financial institutions; to exempt bank service corporations from occupational license tax; and to provide for related matters."

**AMENDMENT NO. 2**

On page 1, delete lines 6 through 14 in their entirety and insert in lieu thereof the following:

"Section 1. R.S. 47:360(E) is hereby amended and reenacted to read as follows:

## §360. Exemptions

\* \* \*

E. (1) Other exempted businesses. Banks, homestead and building and loan associations, editors, cooperative owned bank service companies, over-the-air broadcasters, as defined by the Federal Communications Commission, publishers, clerks, laborers, ministers of religion, school teachers, graduated trained nurses, those engaged in agricultural or horticultural pursuits, those operating sawmills, and corporations organized and operated for the purpose of lending money to farmers for production purposes, the stock of which is owned by farmer members and employees of such corporations, shall be exempted from any provisions of this Chapter.

\* \* \*

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representatives Jackson and Walsworth to Engrossed Senate Bill No. 668 by Senator Hollis

**AMENDMENT NO. 1**

In House Committee Amendment No. 1 proposed by the House Committee on Commerce and adopted by the House of Representatives on June 7, 2004, on line 5, change "corporations" to "companies"

**AMENDMENT NO. 2**

In House Committee Amendment No. 2 proposed by the House Committee on Commerce and adopted by the House of Representatives on June 7, 2004, on line 13, after "E." and before "Other" insert "(1)"

**AMENDMENT NO. 3**

In House Committee Amendment No. 2 proposed by the House Committee on Commerce and adopted by the House of Representatives on June 7, 2004, on line 15, change "corporations" to "companies"

**AMENDMENT NO. 4**

In House Committee Amendment No. 2 proposed by the House Committee on Commerce and adopted by the House of Representatives on June 7, 2004, between lines 24 and 25 insert the following:

"(2) For purposes of this Subsection, "bank service company" shall mean either of the following:

(a) Any corporation which is organized to perform services authorized by 12 U.S.C. 1861 et seq. and all of the capitol stock of which is owned by one or more insured banks.

(b) Any limited liability company which is organized to perform services authorized by 12 U.S.C. 1861 et seq. and all of the members of which are one or more insured banks."

Senator Hollis moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President

Adley

Amedee

Bajoie

Barham

Boasso

Boissiere

Cain

Chaisson

Cheek

Cravins

Dardenne

Duplessis

Total—37

Dupre

Ellington

Fontenot

Gautreaux, B

Gautreaux, N

Hainkel

Heitmeier

Holden

Hollis

Irons

Jackson

Jones

Kostelka

Lentini

Malone

Marionneaux

McPherson

Michot

Mount

Nevers

Romero

Smith

Theunissen

Ullo

NAYS

Total—0

ABSENT

Fields

Schedler

Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Hollis moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 680—**

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 13:5102(B), relative to suits against the state; to provide for definitions; to limit liability for entities which manage certain public transit authorities; to provide relative to the employees of such entities; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Richmond to Reengrossed Senate Bill No. 680 by Senator Boissiere

**AMENDMENT NO. 1**

On page 1, line 4, after "entities" and the semicolon ";," insert "to provide for an effective date;"

**AMENDMENT NO. 2**

On page 2, after line 6, insert the following:

"Section 2. This Act shall become effective on September 1, 2004; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on September 1, 2004, or on the day following such approval by the legislature, whichever is later."

Senator Boissiere moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

**NAYS**

Total—0

**ABSENT**

Fields	Schedler
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 702—**  
BY SENATOR HAINKEL

**AN ACT**

To enact R.S. 43:19.1, relative to official records; to permit certain records to be made accessible on the official Internet web site or portal of the Louisiana State Legislature; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Bruneau to Engrossed Senate Bill No. 702 by Senator Hainkel

**AMENDMENT NO. 1**

On page 1, delete line 9, and insert "Any legislative or"

**AMENDMENT NO. 2**

On page 1, line 11, after "the state" and before "official journal" delete "in an" and insert "which has previously been published in the"

Senator Hainkel moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fontenot	Malone
Barham	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	McPherson
Boissiere	Hainkel	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Bajoie	Fields	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 829—**

BY SENATORS THEUNISSEN AND MOUNT  
**AN ACT**

To enact R.S. 11:413(15)(a), (b), and (c), relative to the Louisiana State Employees' Retirement System; to provide with respect to membership in the Louisiana State Employees' Retirement System for any political subdivision whose creation is authorized pursuant to R.S. 33:4710.2(A)(1) with a parish wide jurisdiction in a parish with a population of not less than one hundred eighty thousand or more than one hundred eighty-five thousand according to the latest federal decennial census; to provide that employees of any political subdivision created by state law with a parish wide jurisdiction in a parish with a population of not less than one hundred eighty thousand or more than one hundred eighty-five thousand according to the latest federal decennial census shall not be eligible to become members of the Louisiana State Employees' Retirement System; to provide with respect to employee and employer contributions; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Elcie Guillory to Engrossed Senate Bill No. 829 by Senator Theunissen

AMENDMENT NO. 1

On page 2, line 6, after "subdivision" delete "whose creation is authorized" and delete line 7 in its entirety and insert the following: "with a parishwide jurisdiction created, as authorized by state law, by local services agreement and intergovernmental contract for the purpose of stimulating and encouraging the development of an industrial air park for economic development in a parish with a"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Arnold to Engrossed Senate Bill No. 829 by Senators Theunissen and Mount

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 11:557 and to"

AMENDMENT NO. 2

On page 1, line 13, after "contributions;" insert "to provide for participation in the Deferred Retirement Option Plan by judges and court officers; to allow for remedial participation in the plan;"

AMENDMENT NO. 3

On page 1, line 17, after "Section 1." insert "R.S. 11:557 is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 3, between lines 16 and 17, insert the following:

\* \* \*

§557. Additional benefits

A. Any person covered by this Subpart who becomes a member of the Louisiana State Employees' Retirement System shall receive an additional benefit equal to one percent times the number of years of service as a judge or court officer times his average compensation.

B. Any person covered by this Subpart who has not severed employment on the effective date of this Subsection and who was eligible to participate in the Deferred Retirement Option Plan on March 1, 1999, who entered the plan but who did not participate in the plan for the maximum time period allowed pursuant to this Chapter may elect to resume participation in the plan. The member shall notify the system on or before December 31, 2004, of his intention to resume participation and the date on which he would like to resume participation. For a time period not longer than the portion of the maximum participation period during which the member did not participate in the plan, and beginning on the date selected by the member, the system shall treat the member in the same manner as it treats any other participant in the plan. The rights, duties, and responsibilities of the system and of the member shall be governed by the provisions of this Chapter pertaining to the Deferred Retirement Option Plan. In no event shall the total of the time period the member originally participated in the plan and the time period during which the member resumes participation exceed the statutory maximum plan participation period."

Senator Theunissen moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fontenot	Malone
Barham	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	McPherson
Boissiere	Hainkel	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Bajoie	Fields	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Theunissen moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 12—**

BY SENATOR THEUNISSEN

**AN ACT**

To amend and reenact R.S. 48:1002(A), relative to ferries; to provide for the period of appropriation of state funds for operation and maintenance of the Monkey Island Ferry located in Cameron Parish; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Frith to Engrossed Senate Bill No. 12 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 7, delete "Monkey Island" and insert "**Dr. Martin Luther King, Jr.**"

AMENDMENT NO. 2

On page 1, line 10, delete "Monkey Island" and insert "**Dr. Martin Luther King, Jr.**"

AMENDMENT NO. 3

On page 1, line 10, delete "located" and insert "**serving Monkey Island**"

Senator Theunissen moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fontenot	Malone
Barham	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	McPherson
Boissiere	Hainkel	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Bajoie	Fields	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Theunissen moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

#### SENATE BILL NO. 15—

BY SENATORS DUPRE, B. GAUTREAUX, N. GAUTREAUX, MCPHERSON AND ROMERO

#### AN ACT

To amend and reenact R.S. 56:326(F)(1), relative to size and possession limits of commercial fish; to provide for an affirmative defense for undersized crab violations; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pitre to Engrossed Senate Bill No. 15 by Senators Dupre, et al.

##### AMENDMENT NO. 1

On page 2, line 1, after "crabs," and before "that" insert "after the crabs leave the dock or while some or all of the crabs are in transport after leaving the dock."

##### AMENDMENT NO. 2

On page 2, line 3, in between "dealer" and "not exceed" change "does" to "did"

Senator Dupre moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lentini
Adley	Fontenot	Malone
Amedee	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boasso	Hainkel	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—35		

#### NAYS

Total—0

#### ABSENT

Bajoie	Fields
Cravins	Schedler
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Dupre moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

#### SENATE BILL NO. 41—

BY SENATOR MCPHERSON

#### AN ACT

To enact Part V-A of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:115, relative to the settlement of claims by the state; to provide for notification to the Joint Legislative Committee on the Budget of certain claims in which the state has an interest; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Engrossed Senate Bill No. 41 by Senator McPherson

##### AMENDMENT NO. 1

On page 1, line 14, after "agencies" and before "a" delete "may compromise or settle" and insert in lieu thereof "when compromising or settling" and on line 16, change "only after" to "shall provide prior"

Senator McPherson moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lentini
Adley	Fontenot	Malone
Amedee	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boasso	Hainkel	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—35		

#### NAYS

Total—0

#### ABSENT

Bajoie	Fields
Cravins	Schedler
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### SENATE BILL NO. 129— BY SENATOR THEUNISSEN

#### AN ACT

To amend and reenact R.S. 33:9055(B), relative to the Cameron Parish Ambulance Service District No. 2; to provide with respect to the board membership; to increase the membership on the board from five members to six members; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 129 by Senator Theunissen

#### AMENDMENT NO. 1

On page 1, line 4, after "six members;" and before "and to" insert "to provide for the term of office of the additional board member;"

#### AMENDMENT NO. 2

On page 2, delete lines 9 through 11 in their entirety and insert the following:

"September 1, 2004, and he shall serve an initial term of three years. Each successor of such member shall serve a term of six years."

Senator Theunissen moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fontenot	Malone
Bajoie	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boasso	Hainkel	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Cravins	Fields	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Theunissen moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### Senator Fontenot in the Chair

### SENATE BILL NO. 191— BY SENATORS IRONS AND DUPRE AN ACT

To repeal R.S. 39:1220(A)(2), relative to local agencies; to remove certain limits on the amount of deposit to a financial institution; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 191 by Senators Irons and Dupre

#### AMENDMENT NO. 1

On page 1, delete line 2, in its entirety and insert in lieu thereof the following:

"To amend and reenact R.S. 39:1220(A)(2), relative to local agencies; to provide with respect to certain limits on the"

AMENDMENT NO. 2

On page 1, delete line 5, in its entirety and insert in lieu thereof the following:

"Section 1. R.S. 39:1220(A)(2) is hereby amended and reenacted to read as follows:

§1220. Selection of depositories

A. Local depositing authorities shall, except as otherwise provided in this Chapter, select as the depositories of their funds, financial institutions domiciled or having branch offices located in the parish or municipality or congressional district of the depositing authority, subject to the following conditions:

\* \* \*

(2) Unless secured with permissible collateral within three days of the deposit, no ~~no~~ amount in excess of two hundred percent of the capital stock, declared surplus, and undivided profits of any bank shall be deposited in any one bank by one depositing authority, provided that deposits which are swept from the bank's deposit account at the close of business each day for purchase of securities that qualify as collateral for public deposits shall not be counted in this calculation.

\* \* \*

Senator Irons moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Gautreaux, B	Marionneaux
Bajoie	Gautreaux, N	McPherson
Barham	Hainkel	Michot
Boasso	Heitmeier	Mount
Boissiere	Holden	Nevers
Cain	Hollis	Romero
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—35		

**NAYS**

Total—0

**ABSENT**

Cravins	Fontenot
Fields	Schedler
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Irons moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 212—**

BY SENATOR DUPRE AND REPRESENTATIVES BALDONE AND DOVE

**AN ACT**

To amend and reenact R.S. 33:130.251, 130.252(A)(1), (2), (3) and (D) and (E), 130.253(B) and (C), the introductory paragraph of 130.255(A) and (A)(3), (4), (6), and (9), 130.256, 130.257(A), the introductory paragraph of 130.257(B), (B)(1)(c) and (2)(b), 130.258(A) and (B)(1) through (7), and 130.259 through 130.261, relative to the Terrebonne Economic Development District; to change the name of the district; to provide for the membership of the board; to provide additional sources of funding and the method of usage of such funds; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 212 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 2, after "130.252(A)" and before "and (E)," delete "(1), (2), (3) and (D)" and insert a comma "," and "(B), (C), (D)"

AMENDMENT NO. 2

On page 1, line 11, after "130.252(A)" and before "and (E)," delete "(1), (2), (3) and (D)" and insert a comma "," and "(B), (C), (D)"

AMENDMENT NO. 3

On page 1, line 16, after "TERREBONNE" insert "ECONOMIC"

AMENDMENT NO. 4

On page 1, line 17, change "PARTNERSHIP" to "AUTHORITY"

AMENDMENT NO. 5

On page 2, line 1, after "Terrebonne" and before "Development" insert "Economic"

AMENDMENT NO. 6

On page 2, line 1, change "Partnership;" to "Authority;"

AMENDMENT NO. 7

On page 2, line 3, after "Terrebonne" and before "Development" insert "Economic"

AMENDMENT NO. 8

On page 2, line 3, change "Partnership," to "Authority,"

AMENDMENT NO. 9

On page 2, line 4, change "partnership," to "authority,"

AMENDMENT NO. 10

On page 2, line 7, change "partnership," to "authority,"

AMENDMENT NO. 11

On page 2, line 8, change "partnership," to "authority,"

AMENDMENT NO. 12



On page 2, line 15, change "partnership" to "authority"

AMENDMENT NO. 13

On page 2, line 20, change "partnership" to "authority"

AMENDMENT NO. 14

On page 2, line 23, change "partnership" to "authority"

AMENDMENT NO. 15

On page 2, line 24, after "eleven" and before "Each" delete "members selected as set out herein." and insert in lieu thereof "voting members and one non-voting member selected as provided in this Section."

AMENDMENT NO. 16

On page 2, at the beginning of line 25, before "member" insert "voting"

AMENDMENT NO. 17

On page 2, line 26, change "partnership," to "authority."

AMENDMENT NO. 18

On page 2, line 27, change "partnership," to "authority."

AMENDMENT NO. 19

On page 2, delete line 28, and on page 3, delete lines 1 through 19, both inclusive, in their entirety, and insert in lieu thereof the following:

"(2)(a) ~~Four~~ Two members shall be appointed by the Terrebonne Parish Council, one of whom shall be ~~black~~ appointed at large from the parish and one of whom shall be an African-American selected by the council from a list of two names nominated by the Terrebonne Chapter of the National Association for the Advancement of Colored People.

(b) One member shall be appointed by the Terrebonne Parish President.

(c) ~~Four~~ Three members shall be appointed by the Terrebonne Parish Council, one of whom shall be an African-American, selected by the council from a list of six names nominated by the Houma-Terrebonne Chamber of Commerce, one of whom shall be a woman.

(d) Three members shall be appointed by the Terrebonne Parish Council, one of whom shall be a woman, selected by the council from a list of six names nominated by the South Central Industrial Association.

(e) One member shall be appointed by the Terrebonne Parish Council from a list of two names nominated by the superintendent of the Terrebonne Parish School System.

(f) One member shall be appointed by the Terrebonne Parish Council from a list of two names nominated by the chancellor of L.E. Fletcher Technical Community College.

(g) The president of Nicholls State University, ex officio, who shall be a non-voting member and shall not be counted for purposes of a quorum, or his designee."

AMENDMENT NO. 20

On page 3, at the end of line 20, delete "herein" and insert in lieu thereof "in this Paragraph"

AMENDMENT NO. 21

On page 3, delete lines 23 through 28, both inclusive, in their entirety, and on page 4, delete lines 1 through 9, both inclusive, in their entirety, and insert in lieu thereof the following:

"(a) Three members, consisting of one ~~appointment by each appointing authority member appointed by the parish council from each of the following nominating entities: the Houma-Terrebonne Chamber of Commerce, the South Central Industrial Association, and the chancellor of L.E. Fletcher Technical Community College,~~ shall be appointed for one-year terms.

(b) ~~Three~~ Four members, consisting of ~~two members one member appointed by the parish council and one member appointed by the chamber of commerce~~ from each of the following nominating entities: the Houma-Terrebonne Chamber of Commerce, the South Central Industrial Association, the superintendent of the Terrebonne Parish School System, and the Terrebonne Chapter of the National Association for the Advancement of Colored People, shall be appointed for two-year terms.

(c) ~~Three~~ Four members, consisting of ~~two members appointed by the chamber of commerce~~ one member appointed at large by the parish council, one member appointed by the Terrebonne Parish President, and one member appointed by the parish council from each of the following nominating entities: the Houma-Terrebonne Chamber of Commerce and the South Central Industrial Association, shall be appointed for three-year terms.

B. Any vacancy in the membership of the board of commissioners, occurring either by reason of the expiration of the term for which appointed or by reason of death, resignation, or otherwise, shall be filled in the manner of the original appointment. At the expiration of a term a commissioner shall hold office until his successor has been appointed and takes office. In the event that the entity responsible for the ~~appointment~~ nomination of a member fails to ~~fill a vacancy~~ nominate a successor within thirty days of such vacancy, the ~~board of commissioners~~ Terrebonne Parish Council shall appoint an interim successor to serve until the ~~position is filled by the appointing~~ nominating entity makes its nomination. If a vacancy occurs for any other reason than the expiration of a term, the ~~successor commissioner shall be appointed for the remainder of the unexpired term.~~ A commissioner may be appointed to succeed himself but no person shall be appointed to serve on the board of commissioners for more than three consecutive terms.

C. Any member of the board of commissioners may be removed ~~by the entity that originally appointed him~~ for cause upon the recommendation of a majority of the board of commissioners and a vote of two-thirds of the members of the Terrebonne Parish Council."

AMENDMENT NO. 22

On page 4, line 13, change "partnership," to "authority."

AMENDMENT NO. 23

On page 4, line 19, change "partnership," to "authority."

AMENDMENT NO. 24

On page 5, line 4, change "partnership" to "authority"

AMENDMENT NO. 25

On page 5, line 5, change "partnership," to "authority."

AMENDMENT NO. 26

On page 5, line 13, change "partnership," to "authority."

AMENDMENT NO. 27

On page 5, line 23, change "partnership" to "authority"

AMENDMENT NO. 28

On page 5, line 24, change "partnership" to "authority"

AMENDMENT NO. 29

On page 5, at the end of line 24, after "land" delete the period "." and insert "plus the fair market value of any improvements made to the property."

AMENDMENT NO. 30

On page 5, line 28, change "partnership." to "authority."

AMENDMENT NO. 31

On page 6, line 3, change "partnership" to "authority"

AMENDMENT NO. 32

On page 6, line 6, change "partnership" to "authority"

AMENDMENT NO. 33

On page 6, line 9, change "partnership." to "authority." and change "partnership" to "authority"

AMENDMENT NO. 34

On page 6, at the end of line 16, after "properties" change the period "." to a comma "," and insert "consistent with applicable parish regulations and policies."

AMENDMENT NO. 35

On page 6, line 17, change "partnership" to "authority"

AMENDMENT NO. 36

On page 6, line 19, change "partnership" to "authority"

AMENDMENT NO. 37

On page 6, line 20, change "partnership." to "authority."

AMENDMENT NO. 38

On page 6, line 22, change "partnership." to "authority."

AMENDMENT NO. 39

On page 6, line 26, change "partnership." to "authority."

AMENDMENT NO. 40

On page 7, line 1, change "partnership." to "authority."

AMENDMENT NO. 41

On page 7, line 3, change "partnership" to "authority"

AMENDMENT NO. 42

On page 7, line 5, change "partnership" to "authority"

AMENDMENT NO. 43

On page 7, line 13, change "partnership" to "authority"

AMENDMENT NO. 44

On page 7, line 16, change "partnership." to "authority."

AMENDMENT NO. 45

On page 7, line 20, change "partnership" to "authority"

AMENDMENT NO. 46

On page 7, line 22, change "partnership" to "authority"

AMENDMENT NO. 47

On page 7, line 26, change "partnership" to "authority"

AMENDMENT NO. 48

On page 8, line 8, change "partnership" to "authority"

AMENDMENT NO. 49

On page 8, line 14, change "partnership" to "authority"

AMENDMENT NO. 50

On page 8, line 16, change "partnership" to "authority"

AMENDMENT NO. 51

On page 8, line 18, change "partnership." to "authority."

AMENDMENT NO. 52

On page 8, line 23, change "partnership" to "authority"

AMENDMENT NO. 53

On page 9, line 3, change "partnership" to "authority"

AMENDMENT NO. 54

On page 9, line 9, change "partnership" to "authority"

AMENDMENT NO. 55

On page 9, line 13, change "partnership" to "authority"

AMENDMENT NO. 56

On page 9, line 20, after "when necessary" and before "levy annually" delete the comma "," and insert "and with approval of the parish council."

AMENDMENT NO. 57

On page 9, line 27, after "(2) The" and before "receive" delete "partnership shall" and insert in lieu thereof "authority may"

AMENDMENT NO. 58

On page 9, line 28, after "January 1, 2005." delete the remainder of line 28, and on page 10, delete lines 1 and 2, in their entirety and insert in lieu thereof the following:

"and all the proceeds of a building permit charge dedicated by the parish council to the authority, upon execution of a cooperative endeavor agreement with the Terrebonne Parish Consolidated Government."

AMENDMENT NO. 59

On page 10, line 4, change "partnership." to "authority."

AMENDMENT NO. 60

On page 10, line 13, change "partnership" to "authority"

AMENDMENT NO. 61

On page 10, line 21, change "partnership" to "authority"

AMENDMENT NO. 62

On page 10, line 25, change "partnership" to "authority"

AMENDMENT NO. 63

On page 10, line 26, change "partnership" to "authority"

AMENDMENT NO. 64

On page 11, line 2, change "partnership" to "authority"

AMENDMENT NO. 65

On page 11, line 9, change "partnership" to "authority"

AMENDMENT NO. 66

On page 11, line 10, change "partnership" to "authority"

AMENDMENT NO. 67

On page 11, line 13, change "partnership." to "authority."

AMENDMENT NO. 68

On page 11, line 14, change "partnership" to "authority"

AMENDMENT NO. 69

On page 11, line 15, change "partnership" to "authority"

AMENDMENT NO. 70

On page 11, line 19, change "partnership" to "authority"

AMENDMENT NO. 71

On page 11, line 21, change "partnership" to "authority"

AMENDMENT NO. 72

On page 11, line 23, after "permit" and before "lease rentals" delete "surcharges," and insert in lieu thereof "charges dedicated to the authority."

AMENDMENT NO. 73

On page 12, line 1, change "partnership" to "authority"

AMENDMENT NO. 74

On page 12, line 5, change "partnership" to "authority"

AMENDMENT NO. 75

On page 12, line 10, after "commissioners," delete the remainder of line 10, and at the beginning of line 11, delete "partnership," and insert in lieu thereof "with approval of the parish council."

AMENDMENT NO. 76

On page 12, line 19, change "partnership," to "authority."

AMENDMENT NO. 77

On page 13, line 2, change "partnership" to "authority"

AMENDMENT NO. 78

On page 13, line 7, change "partnership" to "authority"

AMENDMENT NO. 79

On page 13, line 16, change "partnership" to "authority"

AMENDMENT NO. 80

On page 13, line 17, change "partnership" to "authority"

AMENDMENT NO. 81

On page 13, line 18, change "partnership" to "authority"

AMENDMENT NO. 82

On page 13, line 23, change "partnership" to "authority"

AMENDMENT NO. 83

On page 14, line 1, change "partnership" to "authority"

AMENDMENT NO. 84

On page 14, line 7, change "partnership" to "authority"

AMENDMENT NO. 85

On page 14, line 9, change "partnership" to "authority"

AMENDMENT NO. 86

On page 14, line 11, change "partnership." to "authority."

AMENDMENT NO. 87

On page 14, at the end of line 11, insert the following:

"Section 2. The terms of all members of the board of commissioners of the Terrebonne Economic Development District serving on the effective date of this Act shall expire on the effective date of this Act. The members of the board of commissioners of the Terrebonne Economic Development Authority shall be appointed for initial terms in accordance with the provisions of this Act and, thereafter, the successors of each commissioner shall be appointed for a term of three years. Nothing contained in this Act shall preclude or prohibit the appointment of a member serving on the effective date of this Act to a new term under provisions of this Act.

Section 3. This Act shall become effective on July 1, 2004; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2004, or on the day following such approval by the legislature, whichever is later."

Senator Dupre moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fontenot	Malone
Amedee	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boasso	Hainkel	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—35		

**NAYS**

Total—0

**ABSENT**

Bajoie	Fields
Cravins	Schedler
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Dupre moved to reconsider the vote by

which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 261—**  
BY SENATOR HINES

**AN ACT**

To enact R.S. 42:1119 (B)(2)(a)(iv), relative to the Code of Governmental Ethics; to provide with respect to nepotism; to authorize the employment of immediate family members of a school board member or a superintendent as a certified guidance counselor; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 261 by Senator Hines

**AMENDMENT NO. 1**

On page 1, line 4, after "counselor" delete the semicolon ";" and insert "in certain parishes under certain circumstances;"

**AMENDMENT NO. 2**

On page 1, line 13, after "board" insert "in a parish with a population of twenty-five thousand five hundred persons or less according to the most recent federal decennial census"

**AMENDMENT NO. 3**

On page 1, line 16, after "counselor" delete the period "." and insert the following:

"and that such family member is the only qualified applicant who has applied for the position after it has been advertised for at least sixty days in the official journal of the parish and in all newspapers of general circulation in the parish."

**AMENDMENT NO. 4**

On page 2, after line 2, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Montgomery to Reengrossed Senate Bill No. 261 by Senator Hines

**AMENDMENT NO. 1**

In Amendment No. 3, proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 14, 2004, on page 1, line 10, change "sixty" to "thirty".

Senator Hines moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Heitmeier	Mount
Boissiere	Holden	Nevers
Cain	Hollis	Romero
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

**NAYS**

Total—0

**ABSENT**

Bajoie	Fields	Schedler
Cravins	Hainkel	
Total—5		

The Chair declared the amendments proposed by the House were rejected. Senator Hines moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 288—**  
BY SENATOR SCHEDLER

**AN ACT**

To enact R.S. 47:322.37(B)(3), relative to the St. Tammany Parish Tourist and Convention Commission; to provide for the distribution of certain funds appropriated to the commission; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 288 by Senator Schedler

**AMENDMENT NO. 1**

On page 1, line 2, after "To" and before "enact" insert the following: "amend and reenact R.S. 47:322.37(B)(2) and to"

**AMENDMENT NO. 2**

On page 1, line 7, after "Section 1." and before "R.S. 47:322.37(B)(3)" insert the following:

"R.S. 47:322.37(B)(2) is hereby amended and reenacted and"

**AMENDMENT NO. 3**

On page 1, delete lines 11 through 17 in their entirety, and on page 2, delete lines 1 through 8 in their entirety, and insert the following:

"(2) Beginning July 1, 1999, the money in the special restricted account ~~and other funds appropriated to the commission pursuant to Subsection A of this Section~~ each fiscal year shall be used for performing arts and/or convention centers within St. Tammany Parish, including use for capital improvements related to the construction, maintenance, and operation of such centers.

(3) Beginning in Fiscal Year 2004-2005, and in each fiscal year thereafter, monies may be appropriated from the St. Tammany Parish Fund for support of performing arts and/or convention centers within St. Tammany Parish, including use for capital improvements related to the construction, maintenance, and operation of such centers. Appropriations shall be allocated as follows:

(a) Twenty percent of the total appropriation shall be allocated to the St. Tammany Parish Tourist Commission.

(b) Forty percent of the total appropriation shall be allocated to the East St. Tammany Events Center District.

(c) Forty percent of the total appropriation shall be allocated to Recreation District No. 1 of St. Tammany Parish; however, in any fiscal year that construction commences on the St. Tammany Events Center District, and for each fiscal year thereafter, this forty percent allocation will be divided equally between Recreation District No. 1 and the St. Tammany Events Center District."

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Burns to Engrossed Senate Bill No. 288 by Senator Schedler

##### AMENDMENT NO. 1

In Amendment No. 3 proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 14, 2004, at the end of line 25, delete "that construction" and at the beginning of line 26 delete "commences on" and insert "in which bonds are issued for purposes of"

Senator Hainkel moved to concur in the amendments proposed by the House.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—35		

##### NAYS

Total—0

##### ABSENT

Cravins  
Fields  
Total—4

Kostelka  
Schedler

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

##### **SENATE BILL NO. 301—**

BY SENATOR HOLDEN

##### AN ACT

To enact R.S. 17:24.7, relative to the functions of the state Department of Education; to require the establishment of a pilot program of extended kindergarten; to provide for the eligibility of students to participate; to provide for the nature, duration, evaluation, and continuation of the pilot program; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Engrossed Senate Bill No. 301 by Senator Holden

##### AMENDMENT NO. 1

On page 1, line 5, after "program;" and before "and to" insert "to provide for funding;"

##### AMENDMENT NO. 2

On page 1, line 11, after "establishment of" and before "one" change "not less than" to "at least"

##### AMENDMENT NO. 3

On page 2, at the beginning of line 21, change "students" to "students'"

##### AMENDMENT NO. 4

On page 2, line 25, after "in" and before "the state" change "2008-2009," to "the 2008-2009 school year,"

##### AMENDMENT NO. 5

On page 3, after line 2, add the following:

"E. Implementation of the provisions of this Section shall be subject to the appropriation of funds for this purpose."

Senator Holden moved to concur in the amendments proposed by the House.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson

Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Fields	Schedler
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Holden moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 310—**

BY SENATORS DUPRE AND ROMERO

AN ACT

To amend and reenact R.S. 49:214.38, and to enact Part II-B of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, consisting of R.S. 49:214.52 through 214.61, inclusive, relative to coastal wetlands; to provide relative to barrier islands; to provide relative to property in the coastal zone needed for barrier island preservation, restoration, or creation for coastal wetlands purposes; to authorize certain expropriation of property; to authorize and provide certain procedures for expropriation by declaration of taking; to provide relative to authority and procedures by the state Department of Natural Resources; to set forth certain terms, conditions, and procedures for proceedings; to provide an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources to Reengrossed Senate Bill No. 310 by Senators Dupre and Romero

**AMENDMENT NO. 1**

On page 4, line 27, delete "hereinabove" and insert "in this Section"

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 310 by Senator Dupre

**AMENDMENT NO. 1**

On page 6, line 10, change "then existing " to "then-existing"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Beard to Reengrossed Senate Bill No. 310 by Senator Dupre

**AMENDMENT NO. 1**

On page 2, line 22, after "object" insert "in writing"

Senator Dupre moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Fields	Schedler
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Dupre moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 334—**

BY SENATORS HAINKEL AND HOLLIS

AN ACT

To enact R.S. 22:230.6, relative to health insurance; to authorize health plans to offer mandate-free coverage to individuals and small groups on an optional basis; provides that health plans continue offering coverage that includes all mandates; provides that health plans offering mandate-free coverage disclose benefits not included at the time of application; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Conforming Amendments proposed by Representative Morrish to Engrossed Senate Bill No. 334 by Senator Hainkel (Duplicate of H.B. No. 308)

#### AMENDMENT NO. 1

On page 1, line 2, after "authorize health" delete the remainder of the line, delete lines 3 through 5 in their entirety, and at the beginning of line 6, delete "of application;" and insert the following: "insurers and health maintenance organizations to offer flexible health benefits policies, contracts, and agreements without state health insurance mandates or certain other requirements;"

#### AMENDMENT NO. 2

On page 1, delete lines 9 through 17, on page 2, delete lines 1 through 29, and on page 3, delete lines 1 through 10 in their entirety and insert the following:

"§230.6. Flexible health benefits policies, contracts, and agreements

A. For purposes of this Section, notwithstanding any law to the contrary, the following terms shall be defined as follows:

(1) "Flexible health benefits policy, contract, or agreement" means a health insurance policy, contract, or agreement that offers coverage for preventive care, emergency care, inpatient and outpatient hospital care, and physician care but that is not required to include, in whole or in part, state-mandated health benefits.

(2) "Group health policy" is any policy of health and accident insurance covering more than one person. However, for purposes of this Section, "group health policy" shall be limited to any such policy offered to employees of an employer that employs fifty or fewer individuals.

(3) "Health insurance policy, contract, or agreement" means a group health policy or similar coverage issued by a health maintenance organization. For purposes of this Section, such group policies or coverage shall be limited to those offered to employees of employers that employ fifty or fewer individuals. "Health insurance policy, contract, or agreement" shall also mean any individual health policy or health maintenance organization individual subscriber or enrollee agreement.

(4) "Individual health policy" means health insurance coverage offered to an individual in the individual market but does not include limited duration insurance.

(5) "State-mandated health benefits" means coverage required or required to be offered under this Code or other laws of this state to be provided in an individual or group health policy or similar coverage by a health maintenance organization that does any of the following:

(a) Includes coverage for specific health care services or benefits.

(b) Places limitations or restrictions on deductibles, coinsurance, copayments, or any annual or lifetime maximum benefit amounts.

(c) Includes a specific category of licensed health care practitioners from which an insured is entitled to receive care.

(d) Requires coverage for all services that a health care practitioner recommends that are consistent with generally accepted principles of professional medicine or a similar standard.

B. A health insurer or health maintenance organization properly authorized in this state may offer one or more flexible health benefits policies, contracts, or agreements. In offering such a policy, contract, or agreement, the health insurer or health maintenance organization shall do each of the following:

(1) Provide written notice to the proposed insured, subscriber, or enrollee, as required in Subsection C of this Section.

(2) Make available to the proposed insured, subscriber, or enrollee, subject to underwriting, at least one health insurance policy, contract, or agreement that provides all state-mandated health benefits.

(3) Provide a list of current state-mandated health benefits to the proposed insured, subscriber, or enrollee.

C. For flexible health benefits policies, contracts, or agreements, the written notice required in Paragraph (B)(1) shall include in bold type within or accompanying the written application for such policy, contract, or agreement the following:

"You have the option to select a flexible health benefits policy, contract, or agreement which is not subject to all of the state-mandated health benefits normally required in insurance policies, contracts, or agreements in this state. You have been provided a list of specific services and benefits mandated to be covered under Louisiana law. This flexible health benefits policy, contract, or agreement may provide a more affordable health insurance policy, contract, or agreement for you. At the same time, it may provide you with fewer health benefits than those normally imposed on health insurance policies, contracts, or agreements in Louisiana. If you are considering this option, please consult with your insurance producer to learn the degree to which the flexible health benefits policy, contract, or agreement does not provide benefits equal to those policies, contracts, or agreements subject to state-mandated health benefits."

#### **LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 334 by Senator Hainkel

#### AMENDMENT NO. 1

In House Floor Amendment No. 2 proposed by Representative Morrish and adopted by the House of Representatives on June 9, 2004, on line 10, change "10" to "13"

Senator Hainkel moved to concur in the amendments proposed by the House.

#### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Mr. President	Dupre	Kostelka
Amedee	Ellington	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	McPherson
Boissiere	Hainkel	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

#### **NAYS**

Total—0

**ABSENT**

Adley                      Fields                      Schedler  
Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 375—**

BY SENATOR MARIONNEAUX

**AN ACT**

To enact R.S. 56:115.1, relative to the definition of a legal buck deer; to provide for uniformity in regulations as to size and number of antlers which an antlered buck deer must possess in order to be legally taken; to provide for exceptions; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources to Reengrossed Senate Bill No. 375 by Senator Marionneaux

**AMENDMENT NO. 1**

On page 1, at the end of line 10, delete "as of March" and at the beginning of line 11 delete "1, 2005,"

**AMENDMENT NO. 2**

On page 1, at the end of line 14, delete "For the" and delete lines 15 through 17 in their entirety and on page 2, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"No statewide rule or regulation which limits the taking of deer based on the number and size of antlers shall be adopted without the formal approval of the Senate Committee on Natural Resources and the House Committee on Natural Resources in a committee meeting held for that purpose."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Lambert to Engrossed Senate Bill No. 375 by Senator Marionneaux

**AMENDMENT NO. 1**

In Amendment No. 2 proposed by the House Committee on Natural Resources and adopted by the House on June 10, 2004, on line 8, after "taking of" insert "antlered" and at the end of that line, delete "the"

**AMENDMENT NO. 2**

In Amendment No. 2 proposed by the House Committee on Natural Resources and adopted by the House on June 10, 2004, on line 9, change "number and size of antlers" to "antler criteria"

Senator Marionneaux moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—35		

**NAYS**

Total—0

**ABSENT**

Boasso	Hainkel
Fields	Schedler
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Marionneaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Mr. President in the Chair**

**SENATE BILL NO. 468—**

BY SENATOR FONTENOT

**AN ACT**

To enact Part II of Chapter 21 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2551 and 2552, relative to environmental quality; to provide for the Brownfields Cleanup Revolving Loan Fund; to provide for purpose; to provide for capitalization; to provide for uses; to provide for authority to make loans, grants, and incur debt; to provide for the administration of the fund; to provide for bonds, notes, or other evidence of indebtedness; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 468 by Senator Fontenot

**AMENDMENT NO. 1**

On page 5, at the beginning of line 14, delete "sewer user fees," and after "assessments," delete "parcel fees,"



**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Tucker to Reengrossed Senate Bill No. 468 by Senator Fontenot

**AMENDMENT NO. 1**

On page 4, at the end of line 18, insert the following: "The department shall aggressively pursue leveraging of all funds to the maximum amount allowable by law."

Senator Fontenot moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Lentini
Adley	Ellington	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Heitmeier	Mount
Boissiere	Holden	Nevers
Cain	Hollis	Romero
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Kostelka	
Total—35		

**NAYS**

Total—0

**ABSENT**

Dupre	Hainkel
Fields	Schedler
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Fontenot moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 493—**

BY SENATOR SCHEDLER

**AN ACT**

To amend and reenact R.S. 46:2721 and to rename Chapter 56 of Title 46 of the Louisiana Revised Statutes of 1950, relative to funds; to abolish the Medicaid School-Based Administrative Claiming Trust Fund; to provide for certain reimbursable claims to public schools; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 493 by Senator Schedler

**AMENDMENT NO. 1**

On page 1, delete line 17 and on page 2, delete lines 1 through 3

**AMENDMENT NO. 2**

On page 2, at the beginning of line 4, delete "B."

**AMENDMENT NO. 3**

On page 3, at the beginning of line 12, change "C." to "B."

**AMENDMENT NO. 4**

On page 3, between lines 26 and 27, insert the following:

"Section 2. The Medicaid School-Based Administrative Claiming Fund is hereby abolished and the state treasurer is authorized and directed to transfer any balance remaining in the fund to the Louisiana Medical Assistance Trust Fund."

**AMENDMENT NO. 5**

On page 3, at the beginning of line 27, change "Section 2." to "Section 3."

Senator Hainkel moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

**NAYS**

Total—0

**ABSENT**

Fields	Schedler
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 538—**

BY SENATORS CAIN AND HAINKEL

**AN ACT**

To amend and reenact R.S. 22:228.1(B)(7), (8), (9), (10), (11), (12), and (C) and to enact R.S. 22:228.1(B)(13) and (14), relative to health insurance; to define health savings accounts and high deductible health plans; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 538 by Senators Cain and Hainkel

**AMENDMENT NO. 1**

On page 1, line 2, after "reenact" delete "R.S. 22:228.1(B)(7)," and insert "R.S. 22:228.1(A), (B)(7),"

**AMENDMENT NO. 2**

On page 1, line 4, after "plans;" insert "to exempt certain policies and plans from laws on premium rating of small group and individual health insurance policies;"

**AMENDMENT NO. 3**

On page 1, line 6, after "1." delete "R.S. 22:228.1(B)(7)," and insert "R.S. 22:228.1(A), (B)(7),"

**AMENDMENT NO. 4**

On page 1, line 9, delete the line of asterisks "\*\*\*\*" and insert the following:

"A. The provisions of R.S. 22:228.1 through 228.6 shall apply to any health benefit plan which provides coverage to a small employer except the following:

(1) An Archer medical savings account that meets all requirements of Section 220 of the Internal Revenue Code of 1986.

(2) A health savings account that meets all requirements of Section 223 of the Internal Revenue Code of 1986.

(3) A health reimbursement arrangement as authorized by the Internal Revenue Service pursuant to Revenue Rule 2002-41 and Notice 2002-45.

(4) A flexible spending account that meets all requirements of Section 125 of the Internal Revenue Code of 1986."

**AMENDMENT NO. 5**

On page 3, at the beginning of line 3, change "policies" to "plans"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Johns to Reengrossed Senate Bill No. 538 by Senators Cain and Hainkel

**AMENDMENT NO. 1**

In the set of House Committee Amendments proposed by the House Committee on Insurance and adopted by the House of Representatives on June 10, 2004, in House Committee Amendment No. 4, delete lines 18 through 21 in their entirety

Senator Cain moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Kostelka
Adley	Dupre	Lentini
Amedee	Ellington	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Fields	Hainkel	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Cain moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 560—**

BY SENATOR FONTENOT

**AN ACT**

To amend and reenact the introductory paragraph of R.S. 30:2194(B), (4), (9), and (11) through (15) and the introductory paragraph of (C), 2195(A) and (E), the introductory paragraph of 2195.2(A)(1), (a), and (c)(i), (2), (3), (4), and (5), 2195.3(A)(1)(b) and (7), 2195.4(A)(1), (2), and (3)(c)(ii), 2195.6, 2195.7, 2195.8(A), the introductory paragraph of 2195.8(B) and (1) and (C), 2195.9(A), and 2195.10, to enact R.S. 30:2195.8(D), (E), and (F) and 2195.11, and to repeal R.S. 30:2194(B)(16), relative to underground storage tanks; to provide for uses of money in the Motor Fuels Underground Storage Tank Trust Fund, especially relative to those who are eligible for disbursements from the fund; to provide relative to penalties for failure to pay fees that are paid into the trust fund; to provide relative to financial obligations of tank owners for environmental damage resulting from releases; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 560 by Senator Fontenot

**AMENDMENT NO. 1**

On page 9, line 9, after "exceed" and before "percent" change "fifteen" to "ten"

#### LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 560 by Senator Fontenot

##### AMENDMENT NO. 1

On page 1, line 2, following "30:2194(B)" and before "(,4)" insert "(introductory paragraph)"

##### AMENDMENT NO. 2

On page 14, line 9, following "30:2195.8(A)" and before "(introductory paragraph)" insert ", (B)"

Senator Fontenot moved to reject the amendments proposed by the House.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. President	Ellington	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

##### NAYS

Total—0

##### ABSENT

Amedee	Fields	Schedler
Boasso	Hainkel	
Total—5		

The Chair declared the amendments proposed by the House were rejected. Senator Fontenot moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

#### SENATE BILL NO. 636—

BY SENATOR MCPHERSON

##### AN ACT

To amend and reenact R.S. 42:1123(19), relative to the Code of Governmental Ethics; to provide with regard to the exception to allow commission members to obtain oyster leases while serving on the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 636 by Senator McPherson

##### AMENDMENT NO. 1

On page 1, line 3, after "to allow" delete the remainder of the line and insert "a person to hold or obtain renewals of oyster"

##### AMENDMENT NO. 2

On page 1, line 4, after "Commission;" and before "and" insert the following: "to require such a member of the commission to recuse himself or be disqualified by the commission from participating in certain transactions;"

##### AMENDMENT NO. 3

On page 1, line 15, after "shall" and before "be" insert "recuse himself or"

##### AMENDMENT NO. 4

On page 1, after line 16, insert the following:

"\* \* \*

Senator McPherson moved to concur in the amendments proposed by the House.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. President	Duplessis	Kostelka
Adley	Dupre	Lentini
Amedee	Ellington	Malone
Bajoie	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boasso	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Nevers
Cheek	Irons	Romero
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Total—33		

##### NAYS

Total—0

##### ABSENT

Chaisson	Fontenot	Schedler
Fields	Hainkel	Ullo
Total—6		

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 654—**  
BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 46:231.6(A)(1), (B), (C), and (D)(introductory paragraph), 231.7(A)(3)(a) and (D)(1), 231.8(A)(2), 231.11 and 460.5, and to repeal R.S. 46:231.6(E), relative to FITAP eligibility and earned income disregards; to provide for a sixty-month limit of eligibility for benefits; to provide for earned income disregards; to provide for initial transitional assessments; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Walker to Reengrossed Senate Bill No. 654 by Senator Bajoe

**AMENDMENT NO. 1**

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 46:231.6,"

**AMENDMENT NO. 2**

On page 1, line 3, after "460.5," delete the remainder of the line and at the beginning of line 4, delete "46:231.6(E),"

**AMENDMENT NO. 3**

On page 1, line 9, after "Section 1." delete the remainder of the line and insert "R.S. 46:231.6,"

**AMENDMENT NO. 4**

On page 1, delete lines 12 through 17 in their entirety and insert in lieu thereof:

"§231.6. Termination of eligibility; twenty-four-month limit; refusal of employment

A. A family shall be ineligible for FITAP benefits, including automatic eligibility for medical assistance under Title XIX of the Social Security Act (Medicaid), if any one of the following applies:

(1) The parent has received FITAP for at least twenty-four months, whether consecutive or not, out of the previous sixty months after January 1, 1997.

(2) A work-eligible parent has declined or refused the opportunity for full-time employment as specified in the participant's Family Success Agreement or has not complied with required work activities as specified in the participant's Family Success Agreement.

B. The provisions of this Section shall not apply to a permanently incapacitated or disabled individual, as documented, or to such an individual in the recipient's household.

C. All work-eligible families receiving FITAP benefits will receive on-going intensive case management including monthly contact with those engaged in a work activity. The on-going intensive case management services will be provided to work-eligible families by the Department of Social Services and other TANF partner agencies, in accordance with R.S. 46:231.7, to develop and comply with Family Success Agreements. The Family Success Agreement is the mutually developed contract between a FITAP recipient, on behalf of their family, and the department that sets forth mutual and time-bound responsibilities, expectations, activities, and goals designed to transition a participant from welfare to self-sufficiency. The Family Success Agreement shall be reviewed every six months.

Failure to comply with the Family Success Agreement shall result in sanctions imposed upon the family in accordance with R.S. 46:231.7.

D. The secretary of the department may promulgate rules and regulations providing exceptions to the time limitations of this Section ~~in cases of hardship to the extent funds are available~~. In promulgating rules and regulations, in accordance with the Administrative Procedure Act, the secretary shall address circumstances:

(1) Where the individual ~~has been actively seeking employment by engaging in appropriate job-seeking activities and required work activities as specified in the participant's Family Success Agreement, but is unable to find employment~~ maintains compliance with the STEP Family Success Agreement pursuant to R.S. 46:231.7.

(2) Where factors relating to job availability may be unfavorable.

(3) Where an individual loses his job as a result of factors not related to his job performance.

(4) Where an extension of benefits for up to one year will enable an individual to complete employment-related education or training, including workplace literacy, and is required as part of a Family Success Agreement, when an individual has received an assessment that indicates such activities will likely result in long-term success in the workforce.

~~D. E. Work-eligible participants nearing the twenty-four-month limit on cash assistance, or participants that are within six months of an expected transition from cash assistance, for reasons other than noncompliance with program requirements, or who have sustained unsubsidized employment for a period of more than three consecutive months, shall receive a Transition Assessment Plan, which will be developed in person to the extent possible, to assist in their transition from cash assistance. Such assessment shall include but not be limited to:~~

(1) Short and long-term goals related to self-sufficiency.

(2) On-going barriers to self-sufficiency.

(3) Action planning to overcome barriers to self-sufficiency.

(4) Information regarding on-going eligibility for supportive services such as child care, transportation, Medicaid, food stamps, Louisiana Children's Health Insurance Program, earned income tax credit, and other supportive services.

~~E. An initial Transition Assessment Plan shall be conducted not later than six months prior to the expiration of benefits, or after the receipt of an earned income disregard for three months, whichever occurs first. To the extent feasible, the development of a Transition Assessment Plan shall be developed in person. Participants nearing the expiration of their twenty-four-month limit on assistance shall receive written notification of their expiration of benefits that includes the months accumulated towards the twenty-four-month limit and the time remaining until reaching the twenty-four-month limit, the process by which they are to receive a Transition Assessment Plan and information regarding on-going eligibility for supportive services such as child care, transportation, Medicaid, food stamps, Louisiana Children's Health Insurance Program, or earned income tax credit. Participants shall receive notice no later than six months before the expiration of benefits and at regular intervals up to their twenty-fourth-month of eligibility."~~

**AMENDMENT NO. 5**

On page 2, delete lines 1 through 28 in their entirety.

**AMENDMENT NO. 6**

On page 3, delete lines 1 through 6 in their entirety.

AMENDMENT NO. 7

On page 6, delete line 21 in its entirety.

Senator Bajoie moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Heitmeier	Mount
Boissiere	Holden	Nevers
Cain	Hollis	Romero
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Kostelka	
Total—35		

**NAYS**

Total—0

**ABSENT**

Fields	Hainkel
Fontenot	Schedler
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Bajoie moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Senator Fontenot in the Chair****SENATE BILL NO. 731—**

BY SENATORS CAIN AND CRAVINS

**AN ACT**

To enact Chapter 9 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:3201 through 3205, relative to automobile insurance fraud prevention; to establish the Louisiana Automobile Theft and Insurance Fraud Prevention Authority in the Department of Insurance; to provide for the authority's duties, purposes, board of directors, staff, plan of operations, and funding; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 731 by Senator Cain

AMENDMENT NO. 1

On page 2, line 18, after "unit," delete the rest of the line and delete lines 19 and 20 in their entirety and insert the following:

"the chairman of the Senate Committee on Insurance or his designee, the chairman of the House Committee on Insurance or his designee."

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 731 by Senator Cain

AMENDMENT NO. 1

On page 4, line 29, following "state" and before "financial" change "charted" to "chartered"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Bowler to Reengrossed Senate Bill No. 731 by Senator Cain

AMENDMENT NO. 1

On page 3, between lines 19 and 20 insert the following:

"H. The authority shall be subject to the provisions of law regarding public records (R.S. 44:1 et seq), open meetings (R.S. 42:4.2 et seq), and public bid (R.S. 38:2211 et seq)."

AMENDMENT NO. 2

On page 3, line 27, change "or" to "and"

AMENDMENT NO. 3

On page 4, delete lines 13 through 15 in their entirety and insert in lieu thereof the following:

"(6) Deposit all monies received for the purposes of this Chapter into the Automobile Theft and Insurance Fraud Prevention Authority Fund, provided for in R.S. 22:3204."

AMENDMENT NO. 4

On page 4, line 25, at the end of the line delete ", or other laws"

AMENDMENT NO. 5

On page 4, delete lines 26 through 29, both inclusive, and insert in lieu thereof the following:

"§3204. Automobile Theft and Insurance Fraud Prevention Authority Fund

A. There is hereby established a fund in the state treasury to be known as the "Automobile Theft and Insurance Fraud Prevention Authority Fund", hereafter referred to as the "fund", into which the state treasurer shall each fiscal year deposit the revenues received from those sources provided for by this Chapter and other sources as provided for by law after those revenues have been deposited in the Bond Security and Redemption Fund. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state that become due and payable within each fiscal year, the treasurer, prior to placing such funds in the state general fund, shall pay into the fund an amount equal to the revenue generated from collection from those sources provided for by this Chapter and other sources as provided for by law. No expenditures shall be made from the fund unless first appropriated by the legislature. The monies in the trust fund shall be invested by the state treasurer in the same manner as monies in the state general fund. All interest earned on money from the fund and invested by the state

treasurer shall be credited to the Automobile Theft and Insurance Fraud Prevention Authority Fund."

## AMENDMENT NO. 6

On page 5, delete lines 1 through 4 in their entirety.

## AMENDMENT NO. 7

On page 5, delete lines 23, 24, and 25 in their entirety.

## AMENDMENT NO. 8

On page 6, line 3, after "January" delete the remainder of the line and insert in lieu thereof "2005."

## AMENDMENT NO. 9

On page 6, delete line 4.

Senator Cain moved to concur in the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Duplessis	Kostelka
Adley	Dupre	Lentini
Amedee	Ellington	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jones	Ullo
Total—36		

### NAYS

Total—0

### ABSENT

Fields	Jackson	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Cain moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

## **SENATE BILL NO. 749—**

BY SENATOR CAIN AND REPRESENTATIVE JOHN SMITH  
AN ACT

To amend and reenact R.S. 47:302.5, relative to sales tax proceeds; to provide for the distribution of certain state tax proceeds in Vernon Parish; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 749 by Senator Cain and Representative John Smith

## AMENDMENT NO. 1

On page 2, line 18, after "2004" and the comma "," and before "money" delete "all"

## AMENDMENT NO. 2

On page 2, line 21, delete "Twenty-five" and insert "Twenty"

## AMENDMENT NO. 3

On page 2, line 26, delete "Fifteen" and insert "Ten"

## AMENDMENT NO. 4

On page 3, line 13, change "Five" to "Twelve"

## AMENDMENT NO. 5

On page 3, line 19, change "Ten" to "Seven"

## AMENDMENT NO. 6

On page 3, line 20, change "Ten" to "Seven"

## AMENDMENT NO. 7

On page 3, line 21, change "Ten" to "Seven"

## AMENDMENT NO. 8

On page 3, line 22, change "Ten" to "Seven"

Senator Cain moved to concur in the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

### NAYS

Total—0

### ABSENT

Fields	Schedler
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Cain moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 769—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 42:455(A)(1)(b) and to enact R.S. 42:455(E), relative to payroll deduction by foreign companies; to provide for requirements for payroll deduction for foreign companies; to provide with respect to the liability of the state; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 769 by Senator Heitmeier

**AMENDMENT NO. 1**

On page 2, line 7, after "Best" and before the period "." insert a comma "," and "provided they have maintained a rating of B or better for the entire four year period"

Senator Heitmeier moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Irons	Ullo
Dardenne	Jackson	
Duplessis	Jones	
Total—34		

**NAYS**

Total—0

**ABSENT**

Bajoie	Malone	Schedler
Fields	Mount	
Total—5		

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 802—**

BY SENATORS MOUNT AND THEUNISSEN AND REPRESENTATIVES FLAVIN, GEYMAN, E. GUILLORY, JOHNS AND MORRISH

AN ACT

To amend and reenact R.S. 27:96(A), relative to the Louisiana Riverboat Economic Development and Gaming Control Act; to provide with respect to prohibited acts and gaming offenses on riverboats; to provide that certain elected public officials can engage in business activities with a riverboat gaming licensee as a non-key gaming employee under certain circumstances; to provide for notification requirements; to provide for the adoption of rules; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 802 by Senator Mount

**AMENDMENT NO. 1**

On page 1, delete lines 14 through 17 in their entirety and on page 2, delete lines 1 through 3 in their entirety and insert in lieu thereof the following:

"(2)(a) An elected public official as defined in R.S. 42:1 who is a member of a governing authority of a parish who was elected to his initial term in 2004, may engage in any business activity with a licensee if he is a non-key gaming employee as defined by R.S. 27:3(16), if such employment commenced at least four years prior to holding elective public office.

(b) An elected public official as defined in R.S. 42:1 who is a member of a school board who took his oath of office for his initial term in 2004, may engage in any business activity with a licensee if he is a non-key gaming employee as defined by R.S. 27:3(16), if such employment commenced at least two years prior to the effective date of this Act."

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 802 by Senator Mount

**AMENDMENT NO. 1**

In House Committee Amendment No. 1 proposed by the House Committee on Administration of Criminal Justice, on line 2, at the end of the line change "in through" to "1 through"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Johns to Reengrossed Senate Bill No. 802 by Senator Mount

**AMENDMENT NO. 1**

On page 3, after line 4, insert the following:

"Section 2. The provisions of this Act shall become effective on August 1, 2004."

Senator Theunissen moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Duplessis	Jones
Adley	Dupre	Kostelka
Amedee	Ellington	Malone
Bajoie	Fontenot	Marionneaux
Boasso	Gautreaux, B	Mount
Boissiere	Holden	Nevers
Cain	Hollis	Romero
Chaisson	Irons	Theunissen
Cheek	Jackson	
Total—26		

#### NAYS

Barham	Gautreaux, N	Michot
Cravins	Hainkel	Smith
Dardenne	Lentini	Ullo
Total—9		

#### ABSENT

Fields	McPherson
Heitmeier	Schedler
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Theunissen moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### Personal Privilege

Senator Nevers asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the motion by Senator Theunissen. He voted yea on the motion and had intended to vote nay. He asked that the Official Journal so state.

### Personal Privilege

Senator Kostelka asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the motion by Senator Theunissen. He voted yea on the motion and had intended to vote nay. He asked that the Official Journal so state.

### SENATE BILL NO. 842— BY SENATOR ROMERO

#### AN ACT

To enact Chapter 45 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:3301 through 3313, inclusive, relative to the Acadiana Gulf of Mexico Access Channel; to provide relative to objects and purpose, powers, coordination and cooperation; to authorize certain expropriation powers of

the department; to provide relative to duties of the Department of Transportation and Development; to provide relative to the Acadiana Gulf of Mexico Access Channel; to provide certain procedures, terms, and conditions; to authorize certain activities; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 842 by Senator Romero

#### AMENDMENT NO. 1

On page 3, between lines 8 and 9, insert the following:

"D. Notwithstanding any provision of this Section to the contrary, prior to entering into any contract with the United States of America to provide such local assurances and cooperation, the department shall submit said contract for approval to the Joint Legislative Committee on the Budget."

### LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 842 by Senator Romero

#### AMENDMENT NO. 1

On page 2, line 12, following "to" and before "construction" delete "said"

#### AMENDMENT NO. 2

On page 2, line 13, following "including" and before "suitable" delete ", "

#### AMENDMENT NO. 3

On page 3, line 26, following "servitudes and " and before ", " change "rights-of-ways" to "rights-of-way"

#### AMENDMENT NO. 4

On page 5, line 28, following "shall" and before "by" change "only be exercised" to "be exercised only"

Senator N. Gautreaux moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Duplessis	Kostelka
Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers



Cain	Holden	Smith
Chaisson	Hollis	Theunissen
Cheek	Irons	Ullo
Cravins	Jackson	
Dardenne	Jones	
Total—34		

NAYS

Total—0

ABSENT

Fields	Lentini	Schedler
Heitmeier	Romero	
Total—5		

The Chair declared the amendments proposed by the House were concurred in. Senator N. Gautreaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 855—**  
BY SENATOR BAJOIE

## AN ACT

To amend and reenact R.S. 25:841, 842, and 844 and to enact R.S. 25:845 and 846 and R.S. 36:209(Z) and 919.7, relative to the Louisiana Civil Rights Museum; to establish and provide for the Louisiana Civil Rights Museum Advisory Board; to provide for the membership, powers, duties, and functions of the advisory board; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 855 by Senator Bajoie

AMENDMENT NO. 1

On page 2, at the end of line 19, change "fifteen" to "twenty-one"

AMENDMENT NO. 2

On page 2, delete lines 28 and 29 in their entirety and on page 3, delete line 1 in its entirety and insert the following:

"(5) Nine members shall be appointed by the governor. Seven of the members shall represent one of Louisiana's congressional districts and the remaining two shall serve as at-large members. Such members shall serve at the pleasure of the governor.

(6) The lieutenant governor or his designee."

AMENDMENT NO. 3

On page 3, between lines 11 and 12, insert the following:

"(12) One member shall be a representative of and appointed by the Amistead Research Center.

(13) One member shall be a representative of and appointed by the Louisiana Commission on Human Rights."

C. The governor shall appoint the chairperson of the advisory board. The advisory board shall elect, by majority vote, other officers it deems necessary."

AMENDMENT NO. 4

On page 3, at the beginning of line 12, change "C." to "D."

AMENDMENT NO. 5

On page 3, line 13, change "seventeen" to "twenty-three"

AMENDMENT NO. 6

On page 3, line 15, change "fifteen" to "twenty-one"

AMENDMENT NO. 7

On page 3, at the beginning of line 16, change "D." to "E."

AMENDMENT NO. 8

On page 3, delete line 19 and insert the following:

"F.(1) Legislative members of the board shall receive the same per diem and travel allowance for attending meetings of the board or any meeting thereof as they receive for attendance at legislative committee meetings during the interim between sessions and from the same source.

(2) Nonlegislative members of the board shall receive no compensation for services rendered in their capacity as a member of the board."

Senator Bajoie moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Kostelka
Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Holden	Smith
Chaisson	Hollis	Theunissen
Cheek	Irons	Ullo
Cravins	Jackson	
Dardenne	Jones	
Total—34		

**NAYS**

Total—0

**ABSENT**

Fields	Lentini	Schedler
Heitmeier	Romero	
Total—5		

The Chair declared the amendments proposed by the House were concurred in. Senator Bajoie moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

## SENATE BILL NO. 869 (Substitute for Senate Bill No. 736 by Senator Jones)—

BY SENATOR JONES

### AN ACT

To amend and reenact R.S. 3:264(C), 401(A), 453(A), 551.3(B), 551.32(A), 551.63(B)(introductory paragraph), 551.73(B), 551.82(A)(1), 556.3(C), 558.3(C), 732(B)(3), 1604(D), 1892(A)(1), 2091(F), 2364 (B)(3), 3211(C), 3403(B), 3801(C), and 4603(C), R.S. 4:61(A) and 144(A), R.S. 8:675(F), R.S. 9:2341(F), R.S. 15:323(E), 572.1(A), 574.2(A)(1), 1155(D) and 1202(C), R.S. 17:1964(A)(12), 1979(A), 2503(D), and 3053(D), R.S. 22:9(A)(3), 1192(A)(introductory paragraph), 1395.6(C), 1401(A), 1417(B) and 1922(A)(2), R.S. 23:76(C)(1), 103(A)(1), 1398(B), 1652 and 2043(B), R.S. 24:802(B)(introductory paragraph), R.S. 25:2(A), 315(A), 341(D)(7), 373(C), 379.1(D), 380.22(D), 651, 822(A)(introductory paragraph), 891(A)(2)(f), 902(A), 1001(A), and 1232(B)(1)(a), R.S. 27:11(A), R.S. 28:753(A), R.S. 30:83(C), 121(A), 2062(D), and 2503(B), R.S. 33:2006(A) and 2342(F), R.S. 34:962(A), R.S. 37:74(C)(1), 571(B), 683(A)(1), 914(B)(1), 962(A), 1042(A), 1104(A) and (B)(2)(a), 1314(B), 1339(A), 1361(C), 1379, 1432(A), 1474(C), 1515(A)(2), 2102, 2151(A)(introductory paragraph), 2165(A), 2303(A)(2), 2353(A), 2401.1(C), 2551(B), 2654(C)(1), 2704(B), 2802(A)(1), 2835(A)(2)(b), 3061(A)(2)(c), 3111(B), 3173(A)(1), 3201(B)(2), 3242(C), 3273(B), 3373(B), 3394(C), 3444(B), 3463(A), 3504(B), 3554(A)(2), R.S. 38:3097.4(B), 3098.6, R.S. 39:99.5(A), R.S. 40:5.11(C), 600.4(A)(4), 1232.2(C), 1299.88(A)(2), 1299.181(B)(2), 1578.1(A), 2018(B)(3), 2403(B)(2), 2451(B), R.S. 42:882(A)(4)(c), 1132(B)(2), 1481, R.S. 46:1803(B), 2251(A)(11), 2265(B), 2404(B)(5), 2501, 2525(D), 2624(C), 2634(C), R.S. 48:108.1, 1352(A), 2074(E), R.S. 51:923(B), 1318(D), 1364(D), 2233, 2311(A)(1), and R.S. 56:1(B), 578.2(A)(1), and 700.13(B) and to enact R.S. 3:3363(I), 4106(C) and 4272(D), R.S. 8:61(C), R.S. 17:407.3(D) and 3022(A)(3), R.S. 22:1194.2(D), and 1381(A)(3), R.S. 24:933(D), R.S. 25:651(B), R.S. 28:826(C)(29), R.S. 29:253(D), R.S. 32:772(A)(4), R.S. 37:341(A)(2)(d), 1007(A)(2)(d), 1263(B)(2)(d), 1270.1(B)(5), 1285.2(A)(13), 1379(B), 2503(A)(3)(d), 3084(B)(1)(e), 3152(B)(6), 3356(B)(3), and R.S. 39:301(F), 1784(C), 1798.4(C), R.S. 40:1299.40(E)(3)(i), 1299.44(D)(1)(i), 1300.105(D), 1351(C), 1662.13(A)(3), 1841(E), 2019(H), 2191(A)(4), R.S. 41:1602(B)(3), R.S. 42:2.1, 456.2(D), R.S. 46:933(H), 1406(G), 2605(G), R.S. 47:1402(D), 1832(C), 9004(B)(4), R.S. 48:101(D), R.S. 49:214.12(D), 219.2(B)(5), 1053(J), R.S. 51:911.26(A)(4), 943(D), 1256(D), 1284(D), and R.S. 56:331(F), and 1681(A)(4), relative to the qualifications and qualities of appointees to boards, commissions, councils, authorities, and other entities with statewide jurisdiction over certain matters; to provide with regard to diversity; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 869 by Senator Jones

### AMENDMENT NO. 1

On page 1, at the beginning of line 2, after "To" delete the remainder of the line and delete lines 3 through 17 and on page 2, delete lines 1 through 16 and insert "enact R.S. 42:2.1,"

### AMENDMENT NO. 2

On page 2, delete line 19, and insert the following: "matters; to provide relative to the composition of such entities; to provide relative to the appointment of members to such entities; and to provide for related matters."

### AMENDMENT NO. 3

On page 2, delete lines 21 through 29 and delete pages 3 through 71 and insert the following:

"Section 1. R.S. 42:2.1 is hereby enacted to read as follows:

§2.1 Boards, commissions, councils, authorities, entities; composition

A. In making appointments to any board, commission, council, authority, or other similar entity that has statewide jurisdiction and is established by law, rule, executive order, or otherwise, the appointing authority shall give due consideration to the demographics of the population of the state, including but not limited to geography, gender, and race.

B. No person shall have any right of action pursuant to this Section against an appointing authority or any board, commission, council, authority, or other similar entity or against any action of such an entity.

Section 2. This Act shall become effective on January 1, 2005."

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Reengrossed Senate Bill No. 869 by Senator Jones

### AMENDMENT NO. 1

In House committee amendments proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 14, 2004, on page 1, line 3, after "insert" delete the remainder of the line and insert "amend and reenact R.S. 37:914(B)(1) and to enact R.S. 42:2.1,"

### AMENDMENT NO. 2

In House committee amendments proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 14, 2004, on page 1, line 7, after "entities:" insert "to provide relative to the Louisiana State Board of Nursing;"

### AMENDMENT NO. 3

In House Committee amendments proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 14, 2004, on page 1, between lines 20 and 21, insert the following:

"Section 2.R.S. 37:914(B)(1) is hereby amended and reenacted to read as follows:

§914. Louisiana State Board of Nursing; appointment of members; term of office; vacancy; officers; compensation

\* \* \*

B.(1) The board shall be composed of ~~nine~~ eight registered nurses appointed by the governor from a list of names submitted by the Louisiana State Nurses Association, one certified registered nurse anesthetist appointed by the governor from a list of names submitted by the Louisiana Association of Nurse Anesthetists, Ltd. and two

physicians, appointed by the governor from a list of names submitted by the Louisiana State Medical Society, who shall serve as ex officio members of the board and shall serve only as advisors to the board and shall not vote.

\* \* \*

#### AMENDMENT NO. 4

In House committee amendments proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 14, 2004, on page 1, at the beginning of line 21, change "Section 2" to "Section 3"

Senator Jones moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Duplessis	Jones
Adley	Dupre	Lentini
Amedee	Ellington	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Irons	Ullo
Dardenne	Jackson	
Total—35		

#### NAYS

Total—0

#### ABSENT

Fields	Romero
Kostelka	Schedler
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments

Senator McPherson asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just returned from the House of Representatives with amendments.

#### **SENATE BILL NO. 27—**

BY SENATOR MCPHERSON

#### AN ACT

To enact R.S. 24:653(K) and Part VIII-B of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:310, relative to legislative review; to require private entities to provide to the legislature information relative to the expenditure of revenue generated from the operation, management, or control of public lands or facilities; to require the division of administration to develop a reporting form; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 27 by Senator McPherson

#### AMENDMENT NO. 1

On page 1, delete lines 14 through 17 in their entirety, and on page 2, delete lines 1 through 2 in their entirety and insert the following:

"K(1) Any private entity which by agreement otherwise allowed by law is granted control of state-owned lands or facilities by any state entity for the purpose of performing a governmental function of the state entity shall submit an annual operating budget for all revenue and expenditures directly related to the agreement granting control of such state-owned land or facility to the commissioner of administration. This paragraph shall be applicable when the private entity receives revenues in excess of one million dollars from such control of state-owned lands or facilities.

(2) The commissioner of administration shall promulgate rules and regulations in accordance with the Administrative Procedures Act in order to implement this Section. Such rules shall provide for the protection of propriety, confidential, and competitive information of the private entity which shall not be subject to the provisions of R.S. 44:1, et. seq., the Public Records Act.

(3) This Section shall apply to original contracts, original agreements, or other original instruments entered into after January 1, 2005."

### LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 27 by Senator McPherson

#### AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on Appropriations, on line 4, following "K" insert a period "." and on line 16, following "et" delete the period "."

Senator McPherson moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Holden	Smith
Chaisson	Hollis	Theunissen
Cheek	Irons	Ullo
Cravins	Jones	
Dardenne	Kostelka	
Total—34		

NAYS

Total—0

ABSENT

Fields	Jackson	Schedler
Heitmeier	Romero	
Total—5		

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 37—**  
BY SENATOR HOLDEN

AN ACT

To amend and reenact R.S. 23:633, relative to employment; to provide with respect to payment of wages; to provide for criminal penalties; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Labor and Industrial Relations to Reengrossed Senate Bill No. 37 by Senator Holden

**AMENDMENT NO. 1**

On page 2, line 25, change "any provision" to "Subsection A or B"

Senator Holden moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Jones
Adley	Dupre	Kostelka
Amedee	Ellington	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	McPherson
Boissiere	Hainkel	Michot

Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Total—36		

NAYS

Total—0

ABSENT

Fields	Romero	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Holden moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 39—**

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 24:653(K), and to enact Subpart E of Part I of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:17.1, relative to cooperative endeavor agreements; to require the commissioner of administration to provide a system of tracking certain cooperative endeavor agreements; to provide definitions; to provide for review and approval of certain cooperative endeavor agreements by the Joint Legislative Committee on the Budget; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 39 by Senator McPherson

**AMENDMENT NO. 1**

On page 1, line 6, after "review" and before "of certain" delete "and approval"

**AMENDMENT NO. 2**

On page 1, line 15, after "review" and before "of certain" delete "and approval"

**AMENDMENT NO. 3**

On page 3, at the end of line 1, delete "and", delete line 2 in its entirety, and on line 3, delete "commissioner approve the agreement"

**AMENDMENT NO. 4**

On page 3, line 7, after "Guard" and before the period "." insert "or is a project associated with coastal restoration or management"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 39 by Senator McPherson

AMENDMENT NO. 1

Delete House Committee Amendment Nos. 1, 2 and 3 proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 15, 2004.

AMENDMENT NO. 2

On page 1, line 6, after "provide for" delete the remainder of the line, delete line 7 in its entirety, and insert the following: "notification to the Joint Legislative Committee on the Budget regarding certain cooperative endeavor agreements;"

AMENDMENT NO. 3

On page 1, line 15, after "relative to" and before "of proposed" delete "review and approval" and insert "receipt of notification"

AMENDMENT NO. 4

On page 2, line 28, after "C." and before "cooperative" delete "A" and insert "Notification of a proposed"

AMENDMENT NO. 5

On page 2, line 29, after "shall be" and before "by the" delete "submitted" and insert "provided"

AMENDMENT NO. 6

On page 3, line 1, after "Budget" delete the remainder of the line, delete lines 2 and 3 in their entirety, insert a period "." and insert the following: "Such notification required under this"

Senator McPherson moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fontenot	Malone
Bajoie	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boissiere	Hainkel	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Theunissen
Cravins	Irons	Ullo
Dardenne	Jackson	
Duplessis	Jones	
Total—34		

**NAYS**

Boasso	Smith
Total—2	

**ABSENT**

Fields	Romero	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote

by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 82—**

BY SENATOR BOISSIERE

**AN ACT**

To amend and reenact R.S. 11:3385.1(G), relative to the New Orleans Firefighters' Pension and Relief Fund; to provide for interest paid on Deferred Retirement Option Plan accounts; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 82 by Senator Boissiere

AMENDMENT NO. 1

On page 1, at the end of line 12, delete the comma ","

AMENDMENT NO. 2

On page 1, line 13, after "department" insert a comma ","

AMENDMENT NO. 3

On page 1, line 16, after "department" and before "earn" delete "will" and insert "shall"

AMENDMENT NO. 4

On page 1, line 17, after "on" delete "a" and insert "the"

AMENDMENT NO. 5

On page 2, line 1, after "fee" and before "to" delete the comma ","

Senator Boissiere moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fontenot	Malone
Barham	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	McPherson
Boissiere	Hainkel	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—35		

**NAYS**

Bajoie
Total—1

**ABSENT**

Fields                      Romero                      Schedler  
Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 118—**

BY SENATORS MCPHERSON AND N. GAUTREAUX  
AN ACT

To amend and reenact the introductory paragraph of R.S. 36:801 and to enact R.S. 36:610(J) and Subpart I-1 of Part I of Chapter 2 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:799.1 through 799.4, relative to the White Lake Property Fund; to create the White Lake Property Fund in the state treasury as a fund within the Louisiana Wildlife and Fisheries Conservation Fund; to provide for deposits of monies into the fund; to provide for investment and uses of monies in the fund; to create the White Lake Property Advisory Board; to provide for its domicile, membership, and duties; to authorize the board to solicit and accept donations; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 118 by Senator McPherson

**AMENDMENT NO. 1**

On page 1, line 4, change "799.4" to "799.6"

**AMENDMENT NO. 2**

On page 1, line 5, after "Property" and before the semicolon ";" delete "Fund""

**AMENDMENT NO. 3**

On page 1, line 17, change "799.4" to "799.6"

**AMENDMENT NO. 4**

On page 3, line 1, change "799.4" to "799.6"

**AMENDMENT NO. 5**

On page 3, line 3, after "PROPERTY" delete "FUND""

**AMENDMENT NO. 6**

On page 3, delete lines 7 and 8 in their entirety, and insert the following: "The purpose of this Subpart is to provide for the administration, control, management, and funding for the White Lake Property located in Vermilion Parish. The legislature acknowledges that the White Lake Property provides an opportunity for, and an obligation on, the state to preserve a scarce fresh water ecosystem and to conserve and protect in perpetuity a relatively natural habitat of fish, wildlife or plants or similar ecosystem."

**AMENDMENT NO. 7**

On page 3, between lines 12 and 13, insert the following:

"(1) "Act of donation" means the "Act of Donation by BP American Production Company to the State of Louisiana," dated July 8, 2002, and recorded July 11, 2002, in the conveyance records of Vermilion Parish, bearing entry number 20208337 in which the property in and around White Lake, located in Vermilion Parish, was donated to the state."

**AMENDMENT NO. 8**

On page 3, at the beginning of line 13, change "(1)" to "(2)"

**AMENDMENT NO. 9**

On page 3, between lines 13 and 14, insert the following:

"(3) "Commission" means the Louisiana Wildlife and Fisheries Commission."

**AMENDMENT NO. 10**

On page 3, at the beginning of line 14, change "(2)" to "(4)"

**AMENDMENT NO. 11**

On page 3, at the beginning of line 15, change "(3)" to "(5)"

**AMENDMENT NO. 12**

On page 3, at the beginning of line 16, change "(4)" to "(6)"

**AMENDMENT NO. 13**

On page 3, line 16, after "Lake" and before "means" change "properties"" to "Property""

**AMENDMENT NO. 14**

On page 3, line 29, after "revenues" and before "derived" insert "received by the state"

**AMENDMENT NO. 15**

On page 4, line 1, after "from" and before "royalty" delete "severance taxes" and delete the comma ","

**AMENDMENT NO. 16**

On page 4, line 6, after "Lake" and before the period "." change "properties" to "Property"

**AMENDMENT NO. 17**

On page 4, line 7, after "charged" delete the remainder of the line and insert "by the Louisiana Wildlife and Fisheries Commission or the Department of Wildlife and Fisheries for use of the White Lake Property."

**AMENDMENT NO. 18**

On page 4, line 8, after "monies" and before "derived" insert "received by the state and"

**AMENDMENT NO. 19**

On page 4, at the beginning of line 9, change "properties" to "Property"

**AMENDMENT NO. 20**

On page 4, delete lines 10 and 11 in their entirety and insert the following:

"(4) All donations of private funds or public contributions made to the state, commission, department, or board for the conservation, administration, control, management, development, or operation of the White Lake Property or the activities conducted thereon."

AMENDMENT NO. 21

page 4, delete line 19 in its entirety and insert the following: "maintenance, administration, control, management, or enhancement of the White Lake Property and to"

AMENDMENT NO. 22

On page 4, line 21, after "Lake" and before the period "." change "properties" to "Property"

AMENDMENT NO. 23

On page 5, delete lines 2 through 26 in their entirety and insert the following:

"B. The board shall be composed of members appointed by the governor, subject to confirmation by the Senate, from nominations submitted as follows:

(1) Three members shall be appointed from a list of nominees submitted by the following:

(a) Two nominees submitted by Ducks Unlimited.

(b) Two nominees submitted by Delta Waterfowl.

(c) Two nominees submitted by the Louisiana Nature Conservancy.

(d) Two nominees submitted by the Louisiana Wildlife Federation.

(e) Two nominees submitted by the Louisiana Ornithological Society.

(f) Two nominees submitted by the Sierra Club.

(2) Three members shall be appointed from a list of nominees submitted by the following:

(a) Two nominees submitted by the Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College.

(b) Two nominees submitted by the Board of Supervisors of the Southern University and Agricultural and Mechanical College.

(c) Two nominees submitted by the Board of Supervisors of the University of Louisiana System.

(3) One member appointed from a list of two nominees submitted by the Vermilion Parish Police Jury.

(4) Two members appointed from a list of four nominees submitted by the BP American Production Company.

(5) One member appointed from a list of two nominees, not members of the legislature, submitted by the speaker of the Louisiana House of Representatives.

(6) One member appointed from a list of two nominees, not members of the legislature, submitted by the president of the Louisiana Senate.

(7)(a) Two members appointed at large.

(b) At such time as the governor determines that the Articles of Incorporation and Bylaws of White Lake Preservation, Inc., have been amended to provide that the board of the White Lake Preservation, Inc. is appointed or selected in a manner sufficient to insure that the board is not self-perpetrating, these at large members shall be appointed from a list of four nominees submitted by the board of directors of White Lake Preservation, Inc.

C. Three members of the board shall at all times be residents of Vermilion Parish. All members appointed to the board shall serve at the pleasure of the governor. Vacancies shall be appointed in the same manner as provided for the vacant member."

AMENDMENT NO. 24

On page 6, line 5, after "rules" and before "for" insert ", in accordance with the Administrative Procedure Act,"

AMENDMENT NO. 25

On page 6, line 10, after "Lake" and before "at" change "properties" to "Property"

AMENDMENT NO. 26

On page 6, between lines 23 and 24, insert the following:

"K. Concerning the White Lake Property, the board shall advise the Louisiana Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries regarding:

(1) Administration, control, and management.

(2) Proper operation, management, and supervision of all activities consistent with the "conservation purposes" stated in the act of donation and subject to all of the other terms and conditions of the act of donation.

(3) Development and implementation of a conservation management plan consistent with the "conservation purposes" in the act of donation.

(4) Establishment and maintenance of a biodiversity wetlands center to be named the "BP Wetlands Center."

(5) Ensuring the protection of the natural resources.

(6) Preserving, protecting, and promoting the biological diversity.

(7) Undertaking land and water management projects that enhance or restore natural wetland and upland habitats.

(8) Promoting environmental education and research.

§ 799.5. Commission duties and responsibilities

**R.S. 56:799.5 is all proposed new law.**

In addition to duties, responsibilities, and powers provided by the constitution and statutory law and consistent with the recommendations of the board, the commission:

(1) Shall establish a conservation management plan for the White Lake Property.

(2) May authorize the conduct of lottery hunts on the White Lake Property by the department or, through a cooperative endeavor agreement.

§ 799.6. Department duties and responsibilities; powers

**R.S. 56:799.6 is all proposed new law.**

A. In addition to duties, responsibilities, and powers otherwise provided by law and consistent with the recommendations of the board, the department shall administer, control, and manage the White Lake Property.

B. Subject to recommendations by the board, the department may enter into cooperative endeavor agreements to fulfill its duties and responsibilities under this Subpart. Each such agreement shall be subject to review by the Joint Legislative Committee on the Budget.

Section 3. Agricultural leases involving the White Lake Property in existence on the effective date of this Section are hereby ratified, subject to their terms and conditions.

Section 4. Sections 3 and 4 of this Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

AMENDMENT NO. 27

On page 6, at the beginning of line 24, delete "Section 3. This" and insert "Section 5. Sections 1, 2, and 5 of this"

Amendments proposed by Representative McDonald to Reengrossed Senate Bill No. 118 by Senator McPherson

## AMENDMENT NO. 1

On page 5, line 29, change "properties" to "property"

## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 118 by Senator McPherson

## AMENDMENT NO. 1

In Amendment No. 7 proposed by the House Committee on Appropriations and adopted by the House on June 16, 2004, on page 1, at the end of line 21, change "American" to "America"

## AMENDMENT NO. 2

On page 3, line 18, after "BP" and before "Production" change "American" to "America"

## AMENDMENT NO. 3

On page 4, line 3, after "BP" and before "Production" change "American" to "America"

## AMENDMENT NO. 4

In Amendment No. 23 proposed by the House Committee on Appropriations and adopted by the House on June 16, 2004, on page 3, line 34, after "BP" and before "Production" change "American" to "America"

Senator McPherson moved to concur in the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fontenot	Malone
Bajoie	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boasso	Hainkel	Michot
Boissiere	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Smith
Cravins	Irons	Theunissen

Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—35		

### NAYS

Total—0

### ABSENT

Cain	Romero
Fields	Schedler

Total—4

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

## SENATE BILL NO. 338—

BY SENATOR ADLEY (By Request)

## AN ACT

To amend and reenact R.S. 30:2030(A)(1) and (B) and to enact R.S. 30:2030(D) and (E), relative to environmental quality; to authorize the classification of security sensitive and personal identification information as confidential; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 338 by Senator Adley

## AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and delete lines 3 and 4, and insert the following: "enact R.S. 30:2030(D), relative to records in the custody of the Department of Environmental Quality; to provide that certain information may be restricted from distribution or dissemination via the Internet; to provide for penalties for such distribution or dissemination; and to provide for related"

## AMENDMENT NO. 2

On page 1, delete lines 7 through 17 and on page 2, delete lines 1 through 23, and insert the following:

"Section 1. R.S. 30:2030(D) is hereby enacted to read as follows:

§2030. Confidential information; restricted access via the Internet

\* \* \*

## AMENDMENT NO. 3

On page 2, line 25, after "department" change "may" to "shall"

## AMENDMENT NO. 4

On page 2, line 25, delete "sensitive and personal" and on line 26, delete "identification information" and insert "security sensitive information which shall be the same type of information as described in R.S. 44:3.1"

## AMENDMENT NO. 5

On page 3, at the beginning of line 3, after "person" and before "may appear" delete "of the age of majority"

## AMENDMENT NO. 6

On page 3, delete lines 15 through 17 and insert the following:

"(3) Nothing in this Subsection shall be construed or interpreted in a manner to prevent or restrict the intradepartmental transfer or communication of information to be used in the performance of official duties."



**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Montgomery to Reengrossed Senate Bill No. 338 by Senator Adley

**AMENDMENT NO. 1**

Delete Amendment No. 5 proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 16, 2004

**AMENDMENT NO. 2**

On page 3, line 2, change the semicolon ";" to a period "." and delete the remainder of the line and delete lines 3 and 4 in their entirety

**AMENDMENT NO. 3**

On page 3, at the beginning of line 5, delete "et seq."

Senator Adley moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Jones
Adley	Dupre	Kostelka
Amedee	Ellington	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	McPherson
Boissiere	Hainkel	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Fields	Romero	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Adley moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 852—**

BY SENATORS CHAISSON AND DUPRE  
AN ACT

To amend and reenact R.S. 14:98 (C)(1) and to enact R.S. 32:413.1 and Code of Criminal Procedure Art. 894 (D)(3), relative to driving privileges; to provide for driver's license suspension in certain cases; to provide exclusions; to provide for a driver violation point system for young drivers; to provide for implementation and maintenance of an electronic database, by

cooperative endeavor agreements, for pleas entered relative to operating a vehicle while intoxicated; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways and Public Works to Reengrossed Senate Bill No. 852 by Senator Chaisson

**AMENDMENT NO. 1**

On page 2, at the beginning of line 16, delete "seventeen years of age and younger" and insert "under the age of eighteen"

**AMENDMENT NO. 2**

On page 2, at the beginning of line 20, delete "seventeen years of age or younger" and insert "under the age of eighteen"

**AMENDMENT NO. 3**

On page 3, line 24, change "R.S. 32:430" to "R.S. 32:414"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representatives Tucker and Townsend to Reengrossed Senate Bill No. 852 by Senator Chaisson

**AMENDMENT NO. 1**

Delete all House committee amendments proposed by the House committee on Transportation, Highways and Public Works and adopted by the House on June 9, 2004.

**AMENDMENT NO. 2**

On page 1, line 2, after "to" delete the remainder of the line and insert "enact Code of Criminal"

**AMENDMENT NO. 3**

On page 1, line 3, after "relative to" delete the remainder of the line, delete line 4, and on line 5, delete "violation point system for young drivers;" and insert "the office of motor vehicles;"

**AMENDMENT NO. 4**

On page 1, line 6, delete ", for pleas" and on line 7, delete "entered relative to operating a vehicle while intoxicated"

**AMENDMENT NO. 5**

On page 1, delete lines 10 through 17, delete pages 2 and 3, and on page 4, delete lines 1 and 2

**AMENDMENT NO. 6**

On page 4, line 3, change "Section 3" to "Section 1"

Senator Chaisson moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Smith
Chaisson	Hollis	Theunissen
Cheek	Irons	Ullo
Dardenne	Jackson	
Duplessis	Jones	

Total—34

NAYS

Total—0

ABSENT

Cravins	Lentini	Schedler
Fields	Romero	

Total—5

The Chair declared the amendments proposed by the House were concurred in. Senator Chaisson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 352—**

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:416(A)(3)(c), relative to the Louisiana State Employees' Retirement System; to provide with respect to reemployment of retired members; to provide with respect to earnings limitations, repayment of excess earnings, and notifications by the employing agency; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Reengrossed Senate Bill No. 352 by Senator Boissiere

**AMENDMENT NO. 1**

On page 2, line 4, after "suspension" and before "or" insert a comma ",."

**AMENDMENT NO. 2**

On page 2, line 4, after "reduction" and before "benefits" delete "of" and insert "in"

**AMENDMENT NO. 3**

On page 2, line 5, after "reemployment" and before "he" delete the comma "," and delete "but" and insert a semi-colon ";" and "however."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Townsend to Engrossed Senate Bill No. 352 by Senator Boissiere

**AMENDMENT NO. 1**

On page 1, line 2, after "R.S. 11:416(A)(3)(c)" delete the comma "," and insert "and R.S. 17:425.2,"

**AMENDMENT NO. 2**

On page 1, line 5, after "agency;" insert: "to provide relative to payment for unused sick and annual leave of certain unclassified postsecondary education employees who continue in employment after becoming eligible for retirement, including provisions for definitions, applicability, and conditions and limitations;"

**AMENDMENT NO. 3**

On page 2, between lines 7 and 8, insert:

"Section 2. R.S. 17:425.2 is hereby enacted to read as follows:

§425.2. Payment for unused sick and annual leave; certain unclassified employees

A. For purposes of this Section the following terms shall have the following meanings, unless the context clearly indicates otherwise:

(1) "Severance pay" shall mean payment for unused sick and annual leave as otherwise provided by law except for the time of payment as provided in this Section.

(2) "Unclassified postsecondary education employee" shall mean an employee of the Board of Regents, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Supervisors for the University of Louisiana system, or the Board of Supervisors of Community and Technical Colleges, or of any college or university under the jurisdiction of any such boards who is in the unclassified state service.

B. The provisions of this Section shall only be applicable to unclassified postsecondary education employees of a higher education management board, or any college or university under the jurisdiction of such board, in the event such provisions are approved by the management board to be applicable to such employees.

C. Notwithstanding any provision of law to the contrary, including but not limited to R.S. 42:421(B), R.S. 11:424(E), and R.S. 17:2149(7) and 3312(7), an unclassified postsecondary education employee who is a member of the Louisiana State Employees' Retirement System who continues in employment after becoming eligible for retirement may elect to be paid severance pay by his employer at the time such employee becomes eligible for retirement or at anytime thereafter during such continued employment. Any unclassified postsecondary education employee who does not elect to be paid severance pay under the provisions of this Section shall be paid severance pay as otherwise provided by law.

D. Any unclassified postsecondary education employee who elects to be paid severance pay while continuing employment as authorized by this Section shall be paid severance pay as otherwise provided by law, except that such severance pay shall be paid at the time selected by the employee and shall be calculated based upon the rate of pay received by the employee at the time such severance pay is paid and shall not exceed five hundred hours of the employee's unused sick and annual leave. The payment of severance pay by his employer pursuant to this Section shall be the only severance pay paid to any employee who elects to be paid severance pursuant to this Section, and such employee shall not be eligible for and shall not be paid any additional severance pay pursuant to any other provision of law at any later time regardless of whether or not such employee has any remaining or additional unused sick or annual leave to his credit.

E. Any unclassified postsecondary education employee who is a member of the Louisiana State Employees' Retirement System, who is employed as an unclassified postsecondary education employee on the effective date of this Section, and who is eligible for retirement or is participating in the Deferred Retirement Option Plan of the Louisiana State Employees' Retirement System on the effective date of this Section shall be eligible to elect to receive severance pay pursuant to this Section."

**AMENDMENT NO. 4**

On page 2, at the beginning of line 8, change "Section 2." to "Section 3."

Senator Boissiere moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fontenot	Malone
Amedee	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boissiere	Heitmeier	Michot
Cain	Holden	Mount
Chaisson	Hollis	Nevers
Cheek	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—32		

**NAYS**

Hainkel  
Total—1

**ABSENT**

Bajoie	Cravins	Romero
Boasso	Fields	Schedler
Total—6		

The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Personal Privilege**

Senator Dardenne asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the motion by Senator Boissiere to concur in the amendments proposed by the House. He voted yea on the motion and had intended to vote nay. He asked that the Official Journal so state.

**SENATE BILL NO. 435—**

BY SENATORS THEUNISSEN AND NEVERS  
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(vi), and (B)(2)(b)(vi) and (c)(vi), relative to the Tuition Opportunity Program for Students; to include certain agriscience courses as a science option in the core curriculum; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Engrossed Senate Bill No. 435 by Senator Theunissen

**AMENDMENT NO. 1**

On page 1, line 2, after "17:3048.1(A)(1)(e)(vi)" and before "and" delete the comma ","

**AMENDMENT NO. 2**

On page 1, line 4, after "curriculum;" and before "and" insert "to provide limitations; to provide for effectiveness;"

**AMENDMENT NO. 3**

On page 1, line 6, after "17:3048.1(A)(1)(e)(vi)" and before "and" delete the comma ","

**AMENDMENT NO. 4**

On page 2 delete lines 21 through 23 and insert in lieu thereof the following:

"(vi) Earth Science, Environmental Science, Physical Science, Biology II, Chemistry II, Physics, Physics II, or Physics for Technology (one unit) or Agriscience I and II (both for one unit; provided, however, that such Agriscience unit shall not be considered a science elective for the purposes of meeting the requirements of Item (xiii) of this Subparagraph."

**AMENDMENT NO. 5**

On page 4, at the beginning of line 11, change "1498 of the 2004 Regular Session by Representative Crane" to "32 of the 2004 Regular Session"

Senator Theunissen moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fontenot	Malone
Bajoie	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boasso	Hainkel	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Smith

Cheek	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—35		

NAYS

Total—0

ABSENT

Cravins	Romero
Fields	Schedler
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Theunissen moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Senator Bajoie in the Chair**

**SENATE BILL NO. 561—**

BY SENATORS FONTENOT AND MCPHERSON  
AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), and to enact R.S. 18:425.2 and 426.1, relative to the authority of parish boards of election supervisors to provide for two commissioners to work half of an election day; to authorize any parish board of election supervisors in the event of a shortage of commissioners to create two equal work shifts for commissioners; to authorize such parish board of election supervisors to select commissioners to serve one or two shifts on an election day; to provide for the compensation of such commissioners; to require the State Board of Election Supervisors to prescribe uniform rules for the selection, scheduling, and procedures for creating two equal shifts for commissioners on election day; to provide for the compensation of such commissioners; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Re-reengrossed Senate Bill No. 561 by Senators Fontenot and McPherson

**AMENDMENT NO. 1**

On page 1, line 10, after "day;" and before "to provide" insert "to provide for the effectiveness of such provisions;"

**AMENDMENT NO. 2**

On page 1, line 11, change "such commissioners;" to "commissioners-in-charge and certain commissioners;"

**AMENDMENT NO. 3**

On page 2, at the beginning of line 26, before "Notwithstanding" insert "A."

**AMENDMENT NO. 4**

On page 3, between lines 8 and 9, insert the following:

"B. The provisions of this Section shall be null and of no effect on January 1, 2007, and thereafter."

**AMENDMENT NO. 5**

On page 3, delete lines 20 through 24, and insert the following:

"Section 2. The provisions of this Act shall become effective on January 1, 2005."

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Re-reengrossed Senate Bill No. 561 by Senator Fontenot

**AMENDMENT NO. 1**

On page 3, line 14, after "hundred" and before "dollars" change "seventy-five" to "fifty"

**AMENDMENT NO. 2**

On page 3, line 18, after "hundred" and before "dollars" delete "twenty-five"

Senator Fontenot moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fontenot	Malone
Bajoie	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boasso	Hainkel	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—35		

NAYS

Total—0

ABSENT

Cravins	Romero
Fields	Schedler
Total—4	

The Chair declared the amendments proposed by the House were rejected. Senator Fontenot moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 562—**  
BY SENATOR FONTENOT

## AN ACT

To amend and reenact R.S. 40:31.32(D) and to enact R.S. 40:1154(C), relative to installers and maintenance providers of onsite treatment systems; to provide qualifications and requirements for such licenses; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 562 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 2, delete "and to enact R.S. 40:1154(C)" and delete "installers"

AMENDMENT NO. 2

On page 1, delete lines 3 and 4 and insert the following:  
"installation and maintenance of sewage treatment systems; to provide for licensure and a combination license; to provide for license fees; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 6 and 7, delete "and R.S. 40:1154(C) is hereby enacted"

AMENDMENT NO. 4

On page 1, delete lines 10 through 17 and insert the following:

"D. (1) ~~The~~ For each sewerage installer license issued to a person who installs sewage treatment systems, the department shall charge and collect for each sewerage installer license issued an annual fee of one hundred dollars payable by the individual seeking licensure.

(2) For each sewerage maintenance license issued to a person who maintains or services sewage treatment systems, the department shall charge and collect an annual fee of one hundred dollars payable by the individual seeking licensure.

(3) For each combination installer and maintenance license issued to a person who installs and maintains or services sewage treatment systems, the department shall charge and collect an annual fee of one hundred dollars payable by the individual seeking licensure.

\* \* \*

AMENDMENT NO. 5

On page 2, delete lines 1 through 10

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Daniel to Reengrossed Senate Bill No. 562 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 2, after "reenact" insert "R.S. 30:2075.2(A)(1) and"

AMENDMENT NO. 2

In House Committee Amendment No. 2 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on June 15, 2004, at the beginning of line 6, insert "to provide for security for permits of certain treatment facilities;"

AMENDMENT NO. 3

On page 1, between lines 5 and 6, insert the following:

"Section 1. R.S. 30:2075.2(A)(1) is hereby amended and reenacted to read as follows:

§2075.2. Sewage treatment facility; privately owned; surety required; nonfunctional system

A.(1) Any applicant for, or prospective transferee of, a permit for the discharge of effluent from any privately owned sewage treatment facility regulated by the Public Service Commission shall be required to provide and maintain a bond or other acceptable financial security instrument. Any applicant, prospective transferee, or permittee may apply to the secretary of the Department of Environmental Quality for approval of a single financial security instrument, having a maximum amount of two-hundred fifty thousand dollars, to satisfy the requirements of this Section for all such permits held or to be held. In determining whether to approve the application for a single financial security instrument, the secretary may consider the assets, debts, and compliance history of the applicant, the condition and capacity of the facilities to be covered by such security, and any other factor that may impact the applicant's ability to operate and maintain the facilities. Any such bond or other instrument shall be payable to the Department of Environmental Quality and shall be conditioned upon substantial compliance with the requirements of the Louisiana Water Control Law and any permit issued or enforced under that law. Any bond shall be executed by the permittee and a corporate surety licensed to do business in the state. The purpose of the bond or other financial security shall be the protection of public health, welfare, and the environment. The department shall promulgate rules and regulations to implement this Section.

\* \* \*

AMENDMENT NO. 4

On page 1, line 6, change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 2, line 11, change "Section 2." to "Section 3."

Senator Fontenot moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fontenot	Malone
Bajoie	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boasso	Hainkel	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—35		

# Page 110 SENATE

June 18, 2004

## 48th DAY'S PROCEEDINGS

### NAYS

Total—0

### ABSENT

Cravins  
Fields  
Total—4

Romero  
Schedler

The Chair declared the amendments proposed by the House were concurred in. Senator Fontenot moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### SENATE BILL NO. 591— BY SENATOR CHEEK

### AN ACT

To enact R.S. 22:11.1, relative to health insurance; to provide for a credentialing process for health insurance issuers who contract directly with health care providers for health care services; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 591 by Senator Cheek

#### AMENDMENT NO. 1

On page 1, line 9, after "this" change "Subpart," to "Section."

#### AMENDMENT NO. 2

On page 3, line 27, after "shown," insert "by rule or regulation promulgated pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq."

#### AMENDMENT NO. 3

On page 4, line 6, after "2." delete the remainder of the line and at the beginning of line 7, insert "The"

#### AMENDMENT NO. 4

On page 4, line 7, after "insurance" delete "from adopting any" and insert "is hereby authorized to adopt a"

#### AMENDMENT NO. 5

On page 4, line 10, after "date" delete "of" and insert "no sooner than"

#### AMENDMENT NO. 6

On page 4, line 11, after "this" change "Part" to "Act"

#### AMENDMENT NO. 7

On page 4, line 12, after "settlement" insert "entered into before the effective date of this Act and"

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative K. Carter to Reengrossed Senate Bill No. 591 by Senator Cheek

#### AMENDMENT NO. 1

On page 3, line 19, after "by" delete the remainder of the line, delete lines 20 and 21 in their entirety and insert the following: "a provider's required submission and a health insurance issuer's required acceptance by electronic submission, an applicant shall utilize and a health insurance issuer shall accept either of the following at the sole discretion of the health insurance issuer:"

Senator Cheek moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fontenot	Malone
Bajoie	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boasso	Hainkel	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—35		

### NAYS

Total—0

### ABSENT

Cravins  
Fields  
Total—4

Romero  
Schedler

The Chair declared the amendments proposed by the House were concurred in. Senator Cheek moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### SENATE BILL NO. 593—

BY SENATORS B. GAUTREAUX, AMEDEE, DUPLESSIS, HOLLIS, MICHOT AND SMITH

### AN ACT

To enact Subpart A-1 of Part X of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3397.1 through 3397.6, relative to economic development; to authorize and provide for the establishment, management, operation, functions, and activities of regional research and development parks; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Reengrossed Senate Bill No. 593 by Senators Gautreaux, Amedee, Duplessis, Hollis, Michot and Smith

#### AMENDMENT NO. 1

On page 2, between lines 16 and 17, insert the following:

"C. To promote the establishment of regional research and development parks, the legislature hereby creates the Louisiana Research and Development Council which shall consist of nine members to be appointed by the governor. Each appointment shall be submitted to the Senate for confirmation and shall serve terms concurrent with the governor. A vacancy in such membership of the board shall be filled in the same manner as the original appointment."

Senator B. Gautreaux moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Duplessis	Jones
Adley	Dupre	Kostelka
Amedee	Ellington	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	McPherson
Boissiere	Hainkel	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Fields	Romero	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator B. Gautreaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

#### **SENATE BILL NO. 696—**

BY SENATOR DARDENNE

#### AN ACT

To amend and reenact R.S. 11:292, relative to state and statewide public retirement systems; to provide with respect to benefits and contributions paid to any member, former member or retiree, spouse or former spouse; to provide that any retirement allowance, benefit or refund of accumulated contributions paid to any member, former member, retiree, spouse or former spouse shall be subject to garnishment or court-ordered assignment to pay child support; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 696 by Senator Dardenne

#### AMENDMENT NO. 1

On page 1, line 5, after "benefit" and before "or" insert a comma ",."

#### AMENDMENT NO. 2

On page 1, line 6, after "spouse" and before "or" insert a comma ",."

#### AMENDMENT NO. 3

On page 1, line 14, after "benefit" and before "or" insert a comma ",."

#### AMENDMENT NO. 4

On page 1, line 15, after "member" and before "or" insert a comma ",."

#### AMENDMENT NO. 5

On page 1, line 17, after "benefit" and before "or" insert a comma ",."

Senator Dardenne moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Duplessis	Jones
Adley	Dupre	Kostelka
Amedee	Ellington	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	McPherson
Boissiere	Hainkel	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Fields	Romero	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### Rules Suspended

Senator Malone asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Concurrent Resolutions  
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 352—**

BY REPRESENTATIVES M. POWELL, BAYLOR, BRUCE, BURRELL, GLOVER, HOPKINS, MONTGOMERY, JANE SMITH, AND WADDELL AND SENATORS ADLEY, CHEEK, JACKSON, AND MALONE

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of John Thomas Porter of Shreveport.

The resolution was read by title. Senator Malone moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Lentini
Amedee	Fontenot	Malone
Bajoie	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	McPherson
Boasso	Hainkel	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—34		

**NAYS**

Total—0

**ABSENT**

Mr. President	Fields	Schedler
Dupre	Romero	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**Appointment of Conference Committee  
on Senate Bill No. 23**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 23: Senators Bajoie, Mount and Malone.

**Appointment of Conference Committee  
on Senate Bill No. 261**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 261: Senators Hines, Jackson and McPherson.

**Appointment of Conference Committee  
on House Bill No. 66**

The President of the Senate appointed on the Conference Committee on House Bill No. 66 the following members of the Senate: Senators Hainkel, Bajoie and Duplessis.

**Appointment of Conference Committee  
on House Bill No. 507**

The President of the Senate appointed on the Conference Committee on House Bill No. 507 the following members of the Senate: Senators Duplessis, Bajoie and Fields.

**Appointment of Conference Committee  
on House Bill No. 846**

The President of the Senate appointed on the Conference Committee on House Bill No. 846 the following members of the Senate: Senators Fontenot, Marionneaux and Malone.

**Appointment of Conference Committee  
on House Bill No. 918**

The President of the Senate appointed on the Conference Committee on House Bill No. 918 the following members of the Senate: Senators Chaisson, Dupre and Amedee.

**Appointment of Conference Committee  
on House Bill No. 1030**

The President of the Senate appointed on the Conference Committee on House Bill No. 1030 the following members of the Senate: Senators Hollis, Michot and Cravins.

**Appointment of Conference Committee  
on House Bill No. 1202**

The President of the Senate appointed on the Conference Committee on House Bill No. 1202 the following members of the Senate: Senators Chaisson, Marionneaux and Cravins.

**Appointment of Conference Committee  
on House Bill No. 1618**

The President of the Senate appointed on the Conference Committee on House Bill No. 1618 the following members of the Senate: Senators Boissiere, Hainkel and Kostelka.



**Rules Suspended**

Senator Jones asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Reports of Committees**

The following reports of committees were received and read:

**Report of Committee on  
SENATE AND GOVERNMENTAL AFFAIRS**

Senator Charles D. Jones  
Chairman on behalf of the Committee on

**SENATE AND GOVERNMENTAL AFFAIRS**

submitted the following report:

Senate Chamber  
State Capitol  
State of Louisiana - Baton Rouge, LA

June 17, 2004,

To the President and Members of the Senate:

Gentlemen:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The committee Recommends that the following appointees be confirmed:

**Administration, Division of**

LeBlanc, Jerry Luke	Vandal, Jean S.
117 Twin Oaks	4660 Bluebell Drive
Lafayette, LA 70503	Baton Rouge, LA 70808

**Agricultural Commodities Commission, Louisiana**

Carter, Sr., Floyd E.	Glaser, III, Ted H.
702 Commercial Street	Post Office Box 61
Lake Arthur, LA 70549	Oscar, LA 70762

Hanks, Robert A.	Hoppe, James
416 W. Park St.	19400 BeBee Road
Mermentau, LA 70556	Iowa, LA 70647

Johnston, Jerry L.	Kendrick, Jr., Rodney D.
628 Big Buck Rd.	4601 Heyman Lane, #115
Sicily Island, LA 71368	Alexandria, LA 71303

Koch, Blaine Y.	Morales, Walter A.
1111 Crawford Avenue	1195 S. Cloverdale Avenue
Crowley, LA 70526-3053	Baton Rouge, LA 70808

Rodrigue, Leslie L.  
112 Goldmine Court

Edgard, LA 70049

**Agriculture and Forestry, Department of**

Andries, John A.	Broussard, Manning "Pete"
498 Hicks Road	3814 Tamara Street
Washington, LA 70589	Abbeville, LA 70510

Delphin, Jr., Terrel A.	Frey, Paul D.
2022 N. Lobdell Ave, Apt 57	10944 MayBelle Court
Baton Rouge, LA 70821	Baton Rouge, LA 70815

Johnson, F. Randal	Keppinger, III, Matthew J.
240 East Drive	911 Wyatt
Baton Rouge, LA 70806	Baton Rouge, LA 70810

Malone, J. Bryce	Rayburn, Benjamin A.
2736 Lancelot	33153 Beverly Drive
Baton Rouge, LA 70816	Denham Springs, LA 70706

Rhorer, Jr, Edward "Skip" H.	Spicer, Bradley E.
1104 Stoneliagh Drive	3363 McCarroll Drive
Baton Rouge, LA 70808-5769	Baton Rouge, LA 70809

Theriot, Luke A.	Thompson, F. Todd
2030 Cedardale Avenue	4452 Cypress Street
Baton Rouge, LA 70808	Baton Rouge, LA 70808

**Alarm Services Advisory Board, Louisiana**

Brown, Sr., Don N.	Hattier, William
393 Hwy. 3191	59338 Lacombe Harbor Lane
Natchitoches, LA 71457	Lacombe, LA 70445

Nicolich, Marie W.	Northcutt, Danny R.
4815 Perry Drive	543 Beaulieu Drive
Metairie, LA 70006	Lafayette, LA 70508

Queen, James L.	Thorn, Kay
2632 Brown Street	750 Rowland Road
Bossier City, LA 71111	Monroe, LA 71203

**Animal Welfare Commission; Louisiana**

Maloney, Laura K.  
819 Bellecastle Street  
New Orleans, LA 70115

**Aquaculture Advisory Council, Louisiana**

Bahr, Len	Courtney, Jr, Monroe "Will" W.
5544 Melrose Blvd	P.O. Box 82376
Baton Rouge, LA 70806	Baton Rouge, LA 70884-2376

Denmon, Terry D..	Fontenot, Quenton
281 Richland Place	201 East 5th St.
Monroe, LA 71203	Thibodaux, LA 70301

Foshee, Tom E.	Freeland, Russell B.
527 Foshee Ranch Road	14 Bayou Oaks Drive
Natchitoches, LA 71457	Crowley, LA 70526

Gough, Robert C.

Hanks, J.B.

149 Jeris Wells Road Hineston, LA 71438	Post Office Box 66312 Baton Rouge, LA 70896
Haring, Samuel B. 6362 Hwy. 562 Wisner, LA 71378	Lazarus, H. Bruce 1601 Maple Street Winnfield, LA 71483
Lutz, Greg 11852 Parkmeadow Drive Baton Rouge, LA 70816	Mayne, Jeff S. 1935 Marilyn Drive Baton Rouge, LA 70815
Miller, Norma Jean M. 542 Robert Miller Road Eunice, LA 70535	Odom, Bob Post Office Box 631 Baton Rouge, LA 70821
Picard, Paul Dixie Fish Farm P.O. Box 2617 Houma, LA 70361	Pierre (Rep), Wilfred 718 South Buchanan Street Lafayette, LA 70502
Romaire, Robert 19328 N. Trent Jones Drive Baton Rouge, LA 70810	Romero, (Sen) Craig F. P.O. Box 94183 Baton Rouge, LA 70802
Roth, Nelson (Jr.) 1737 Hermitage Street Gonzales, LA 70737	Short, Kelsey D. 1207 N. General Pershing Drive Hammond, LA 70401
Thompson, (Rep) Francis C. P. O. Box 151 Delhi, LA 71232	

**Architectural Examiners, State Board of**  
Bacque', Allen  
104 Melrose Drive  
Lafayette, LA 70506

**Atchafalaya Basin Levee District, Board of Commissioners of**  
Alexander, Sr., Gerald P.  
307 Woodland Drive  
Donaldsonville, LA 70346
 Brignac, Ray J. 1408 North Berard Street Breaux Bridge, LA 70517 |

Flynn, Bill 6712 Highway 190, West Port Allen, LA 70767	Grezaffi, John 14330 Highway 417 Batchelor, LA 70715
Grimmett, Bradley 159 Blanche Lane Krotz Springs, LA 70750	Hebert, Daniel H. 22195 Talbot Drive Plaquemine, LA 70764
Judice, Jackie P. 2508 Northside Road New Iberia, LA 70563	Juge, Stephen 4134 Oakland Road Erwinville, LA 70729
Longman, Ralph R. 5843 LA 83 Franklin, LA 70538	Maranto, Sr., Michael A. 18515 North River Road Bueche, LA 70729
Marionneaux, Harry 62590 Bayou Road	Matherne, Earl J. 133 Timothy Street

Plaquemine, LA 70764	Pierre Part, LA 70339
Raymond, John T. 226 Odgen Street Breaux Bridge, LA 70517	Rockforte, Nickie W. 77180 Rockforte Street Maringouin, LA 70757

**Aviation Advisory Commission, Governor's**

Chenevert, Yvonne J.  
200 Oak Street  
New Roads, LA 70760

**Barber Examiners, Board of**

Vice, Scott J.  
3616 Albert Road  
Erath, LA 70533

**Baton Rouge Port Commission, Greater**

Brian, John "Randy" 23819 Old Scenic Highway Zachary, LA 70791	D'Agostino, Charles F. 165 Nelson Dr. Baton Rouge, LA 70808
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Delpit, Joseph A. 2323 Iowa Street Baton Rouge, LA 70802	Dragg, Alvin L. 2823 S. Southwood Boulevard Gonzales, LA 70737
--	--

Johnson, Sr, Larry L. 3953 Poydras Bayou Road Port Allen, LA 70767	Thibaut, Charles L. 3599 Hwy 405 Donaldsonville, LA 70346
--	---

Tillis, Chucky  
10720 Linkwood Ct. #423  
Baton Rouge, LA 70810

**Best Practices in School Discipline, Commission on**

Hill, Naomi F. 2006 Cloverdale Avenue Baton Rouge, LA 70808	Johnson, Willie C. 152 South Foster Dr., Unit 24 Baton Rouge, LA 70806
---	--

Thompson, Harvey  
2091 West Belfair Drive  
Baton Rouge, LA 70802

**Boll Weevil Eradication Commission, Louisiana**

Dailey, John L. 166 Jack Dailey Road Extension, LA 71243	Holley, Boyd 704 Hollyhurst Bastrop, LA 71220
--	---

Kennedy, Ronnie Todd 123 Kennedy Drive Tallulah, LA 71282	LaCour, Jr., George G. 7982 Hwy 1 Morganza, LA 70759
---	--

Logan, Jr., Dan P.  
13144 Adger Rd  
Gilliam, LA 71029

**Boxing and Wrestling Commission, State**

Dupre, Bobby 2688 Ducharme Rd. Opelousas, LA 70570 Gogarty, Deirdre 900 Provost Street, #33	Embanato, Jr., Anthony L. 129 Clayton Drive Monroe, LA 71203 Lewis, Fielding 222 Katy Circle
---	--

Scott, LA 70583  
Franklin, LA 70538  
Scrubbs, Larry (Sr.)  
3700 Woodbriar Drive  
Harvey, LA 70058  
Shoenfelt, Oscar  
743 Bourbon  
Baton Rouge, LA 70808

**Cancer and Lung Trust Fund Board, Louisiana**

Cole, John T.  
1435 Henry Clavy Avenue  
New Orleans, LA 70118

**Capital Area Groundwater Conservation District, Board of Commissioners for the**

Aucoin, Dale  
3940 Twelve Oaks  
Baton Rouge, LA 70802  
Babin, Daryl J.  
144 Julien Street  
Brisly, LA 70719  
Barry, John (Jr.) S.  
12311 Tunica Trace  
Weyanoke, LA 70787  
Kirby, Harold W.  
22131 Reames Road  
Zachary, LA 70791  
Part, Elie J.  
407 N. Carolina Street  
New Roads, LA 70760

**Catfish Promotion and Research Board**

Cheek, Bill  
137 Winegart Lane  
Lecompte, LA 71346  
Freeland, Russell B.  
14 Bayou Oaks Drive  
Crowley, LA 70526  
Gauze, III, Albert P.  
206 Interlaken Drive  
New Iberia, LA 70563  
Hanks, J.B.  
Post Office Box 66312  
Baton Rouge, LA 70896  
Haring, Diana  
110 Otwell Lane  
Winnsboro, LA 71295  
Haring, Samuel B.  
6362 Hwy. 562  
Wisner, LA 71378  
Stephens, Jr., Charlie  
1049 Hwy. 875  
Wisner, LA 71378

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**Crawfish Promotion and Research Board, Louisiana**

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**Dairy Industry Promotion Board**

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28752 Glen Guy Rd.                      165 Jim Bailey Rd.  
Mt. Hermon, LA 70450                      Leesville, LA 71446

Brown, Mack                                  Caldwell, Joe  
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Mt. Hermon, LA 70450                      Pelican, LA 71063

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Kentwood, LA 70444                      Franklinton, LA 70438

Fisher, Donnie                                  Fussell, Paul  
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Keatchie, LA 71046                              Kentwood, LA 70444

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Loranger, LA 70446                              Franklinton, LA 70438

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Sharkey, Susie                                      Simpson, Jerry L.  
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Amite, LA 70422                                      Arcadia, LA 71001

**Dentistry, Louisiana State Board of**

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**Developmental Disabilities Council, Louisiana**

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June 18, 2004

## 48th DAY'S PROCEEDINGS

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June 18, 2004

## 48th DAY'S PROCEEDINGS

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Slidell, LA 70461                      Wade, Marsha M.  
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### **Hearing Aid Dealers, Louisiana Board for**

LeBlanc, Dianne T.                      Sayer, Susan W.  
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Metairie, LA 70003                      3507 Horseshoe Drive  
Alexandria, LA 71302

### **Hippy (Home Instruction Program for Preschool Youngsters) Advisory Board**

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### **Homeless, LA Interagency Action Council for the**

Judice, Vicki                      Martin, Katherine  
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Plaquemine, LA 70764

Donelon, III, James "Jim" J.  
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Kimbrough, Pam  
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Paul, Joyce R.  
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Smith, Kandi  
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Underwood, Daniel  
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Abita Springs, LA 70428

Yellowdy-Haley, Teresa R.  
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Kenner, LA 70062-4207      Barksdale, LA 71110

**Judicial Compensation Commission**

Coleman, Sr., James J.      Foti, Jr., Atty General, Charles C.  
10 Audubon Place      7434 Jade Street  
New Orleans, LA 70118      New Orleans, LA 70119

Gasaway (Judge), Grace Bennett      Holt, Sibal S.  
20 Fairway View      9551 Highpoint Road  
Hammond, LA 70401      Baton Rouge, LA 70810

Jones, (Sen), Charles D.      Lentini (Sen), Arthur J.  
141 DeSaird Street Suite 315      6620 Riverside Drive, Suite 312  
Monroe, LA 71202      Metairie, LA 70001

Marullo, Jr., Frank A.      Thibodeaux (Judge), Ulysses G.  
7904 Birch Street      3910 Marie Court  
New Orleans, LA 70118      Lake Charles, LA 70607

Toomy (Rep), Joseph F.  
P.O. Box 157  
Gretna, LA 70054

**Justice, State Department of**

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110 Greenbriar Circle  
Lafayette, LA 70503

**Juvenile Justice and Delinquency Prevention, Governor's Advisory Board of**

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Lake Charles, LA 70605

**Labor, State Department of**

Smith, John Warner      Soulier, Bennett J.  
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Baton Rouge, LA 70809      Lafayette, LA 70508

St. Amant, Larry      Sullivan, Marianne  
18630 Santa Maria Avenue      9033 Kilt Place  
Baton Rouge, LA 70809      Baton Rouge, LA 70808-8159

Wilkins, Alesia Y.      Winfrey, Karen R.  
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Baton Rouge, LA 70816      Baton Rouge, LA 70817

**Law Enforcement and Administration of Criminal Justice, Louisiana Commission on**

Ranatza, Michael A.  
12458 Graham Road  
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**Law Enforcement Executive Management Institute Bd**

Guillory, Gary G.      Hammons, Jack  
1105 Shady Lane      703 Hassell Street  
Westlake, LA 70669      Winnsboro, LA 71295

Landry, William P.      Reynolds, Mitchell A.  
1427 S. Park      205 Milam Street  
Gonzales, LA 70737      Winnsboro, LA 71295

**Library, Board of Commissioners of the Louisiana State**

Preis, Mrs. Edwin G.  
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**Licensed Professional Counselors Board of Examiners**

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Pearlmutter, Lynn  
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**Livestock Brand Commission**

Blanchard, Vic      Harris, Antonio  
24345 Kirtley Drive      9480 Hwy. 103  
Plaquemine, LA 70764      Washington, LA 70589

Hebert, Jr., Douglas L.      Hodges, Joy N.  
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Kinder, LA 70648      Alexandria, LA 71302

Jones, Gloria S.      LeBouef, Calvin A.  
2170 Hwy 484      13610 South LA Hwy. 335  
Natchez, LA 71456      Abbeville, LA 70510

Porter, T. B.      Prator, Stephen W.  
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Leesville, LA 71496      Shreveport, LA 71107

Wald, John  
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**Livestock Sanitary Board, Louisiana State**

Bennett, John Van      Broussard, Charles E.  
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Spearsville, LA 71277      Kaplan, LA 70548

Decker, Adrian L.      Doland, David "Billy" Y.  
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Zachary, LA 70791      Grand Chenier, LA 70643

Dominique, Michael P.      Kelley, James "Jimmy" P.  
103 D. Hess      120 Milby Street  
Carencro, LA 70520      DeRidder, LA 70634

Lyons, Daniel      McManus, M.D., Robert L.  
1438 Jessie Richard Road      124 McMillan Avenue  
Church Point, LA 70525      Iota, LA 70543

Miller, III, H.C.      Porter, T. B.  
HC-62, Box 146      194 Porter Road, Hwy 171N  
Waterproof, LA 71375      Leesville, LA 71496

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12562 Hwy 1075      Robinson, Dr., Billy J.  
Bogalusa, LA 70427      P.O. Box 51  
Leesville, LA 71446

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June 18, 2004

## 48th DAY'S PROCEEDINGS

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Yarborough, Robert V.  
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### Lottery Corporation, Board of Directors of the Louisiana State

Caruso, Salvatore A.  
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Daniel, Pamela Morrison  
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Lafayette, LA 70507

### Louisiana State University and Agricultural and Mechanical College, Board of Supervisors

Leach, Laura A.  
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Lake Charles, LA 70605

### Massage Therapy, Louisiana Board of

Hymel, Claudette C.  
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Carencro, LA 70520

Schwartzberg, Alan L.  
7036 Chandler Drive  
Baton Rouge, LA 70808

Tessier, Janet P.  
2808 W. Pinhook Rd., #30  
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### Medicaid Pharmaceutical & Therapeutics Committee

Jastram, Jr., Charles W.  
6627 Milne Blvd.  
New Orleans, LA 70124

Lowery, James D.  
211 Fendler Parkway  
Pineville, LA 71360

### Medical Professional Liability, Commission on

Palmintier, Michael C.  
628 St. Louis Stree  
Baton Rouge, LA 70802

### Mineral Board, State

Arnold, Jr., Thomas L.  
2254 South Von Braun Ct.  
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Bean, Theo (Jr.) B.  
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Bernhard, Kenny  
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Cordaro, Emile  
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Dangerfield, Peter W.  
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### Motor Vehicle Commission, Louisiana

Batiste, Yolanda J.  
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Bohn, Jr., C. Robert  
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Braxton, Calvin (Sr.) W.  
142 Starlight Point Road  
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Cabrera, Tina  
18510 S. Harrells Ferry Road  
Baton Rouge, LA 70816

Drago, Jacob G.  
22 Zion Street  
Kenner, LA 70065

Edgar, Jacqueline L.  
103 Blue Ridge  
Carencro, LA 70520

Hebert, Marshall  
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Shreveport, LA 71106

Hocevar, Alexis D.  
15110 Dender Drive  
Covington, LA 70433

Lane, Gerald (Gerry)  
7811 Wayside Drive  
Baton Rouge, LA 70806

LeBlanc, Jr., V. Price  
109 Sena Drive  
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Mann, David M.  
116 Clairmont Circle  
Lafayette, LA 70508

Pool, Ralph Eugene (Gene)  
210 Waterford Drive  
Lafayette, LA 70503

Tait, Arthur W.  
7311 Old River Circle  
Shreveport, LA 71105

White, Cloyd  
165 White Road  
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### N.O./B.R. Steamship Pilots for the Mississippi, Board of Examiners

Boston, Kelvin J.  
11001 Lake Forest Blvd.  
New Orleans, LA 70127

### Natural Resources, Department of

Angelle, Scott A.  
4349 Main Highway  
Breaux Bridge, LA 70517

### New Orleans & Baton Rouge Steamship Pilots

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Hill, Gary Thomas  
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Luling, LA 70070-3105

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Kenner, LA 70062

Rowbatham, David Scott  
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Wattigney, Louis Maurice III.  
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### Nursing, Louisiana State Board of

LaCorte, William St. John  
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Ostrowe, Alan (MD) J.  
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### Occupational Forecasting Conference

Knapp, Adam  
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### Office Facilities Corporation

Dugas, Rochelle M.

Holden (Sen), Melvin "Kip" L.

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Abbeville, LA 70510

234 Rivercrest Ave.  
Baton Rouge, LA 70807

Jones, Jerry W.  
5342 Hickory Ridge Blvd.  
Baton Rouge, LA 70817

LeBlanc, Jerry Luke  
117 Twin Oaks  
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Montgomery, Billy (Rep)  
300 Whispering Pine  
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**Office of Emergency Preparedness**

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**Oilfield Site Restoration Commission**

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Evangeline, LA 70537

**Optometry Examiners, Louisiana State Board of**

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219 Blue Bush Road  
Oakdale, LA 71463

**Orleans Parish Custodian of Notarial Records**

Bruno, Stephen P.  
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**Pardon Board, State**

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Ville Platte, LA 70586

Migues, Ted Joseph  
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New Iberia, LA 70560

**Parole, Board of**

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Simon, Diana P.  
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Thomas, Isaac C.  
3093 Topaz Street  
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Wise, Jim  
433 Massey Road  
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**Pesticides, Louisiana Advisory Commission on**

Coburn, PhD, Grady  
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Lecompte, LA 71346

Ducote, Wayne J.  
213 Sandalwood Drive  
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Duty, Douglas W.  
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Guthrie, Jr., William (Billy) A.  
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St. Joseph, LA 71366

O'Brien, Zoren O.  
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Robichaux, Michael W.  
7001 Hwy. 182

Iowa, LA 70647

Taylor, Victoria (Viki) G.  
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Slidell, LA 70461

Franklin, LA 70538

Vasko, Michael B.  
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Bossier City, LA 71111

**Pilots Association Fee Commission, Crescent River Port**

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Hoo, Christopher A.  
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LaGraize, Kevin L.  
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Lacombe, LA 70445

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Scafidel, Robert (Dr.) J.  
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Taft, Gene  
421 Bill Drive  
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**Pilots Association Fee Commission, New Orleans-Baton Rouge Steamship**

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Boston, Kelvin J.  
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9 Forrest Court  
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Luetkemeier, Hans G.  
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3729 Pin Oak Avenue  
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1904 E. Magna Carta  
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Rieder, Chris A.  
3406 Arizona Street

Shirah, Jr., David C.  
249 Delta Drive

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June 18, 2004

## 48th DAY'S PROCEEDINGS

Kenner, LA 70065

Shows, Jr., Henry G.  
3615 Lake Michel Court  
Gretna, LA 70056

Watson, William (III) O.  
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### **Pilots Fee Commission for the Associated Branch Pilots for the Port of New Orleans**

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LaPlace, LA 70068

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127 White Oak Lane  
Madisonville, LA 70447

Lorino, Jr., Michael R.  
106 Twin Oaks Lane  
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Maloz, Michael A.  
3729 Pin Oak Avenue  
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Post, Stephen W.  
3700 Orleans Ave # 5348  
New Orleans, LA 70119

Steinmuller, Charles P.  
2315 Cottonwood Avenue  
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### **Pontchartrain Levee Board**

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St. Rose, LA 70087

### **Port of South Louisiana, The**

Bonnette, Sheila  
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LaPlace, LA 70068

Hubbard, William J.  
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Joseph, Louis A.  
163 Central Avenue  
Edgard, LA 70049

Roberts, Jay A.  
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### **Practical Nurse Examiners, State Board of**

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Mandeville, LA 70448

Taft, Gene  
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Casenza, Stephen  
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LaGraize, Kevin L.  
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Luetkemeier, Hans G.  
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Miller, Michael T.D.  
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Folsom, LA 70437

Scafidel, Robert (Dr.) J.  
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Sheets, Blaine Joseph  
12308 Gilbert LeBlanc Road  
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Gravois, Gregory J.  
22984 N. Rosary  
Vacherie, LA 70090

Jackson, Lawrence P.  
12189 Magnolia Street  
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Murray, III, Paul "Joe" J.  
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Destrehan, LA 70047

West Monroe, LA 71291

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Sonnier, Jr., M.D., William  
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Turnley, Jr., M.D., I.C.  
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### **Prison Enterprises Board (1983)**

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### **Public Safety and Corrections, Department of**

Antoine, Jannita  
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Broome, Willie E.  
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Hodges, Kay B.  
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Stalder, Richard L.  
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### **Racing Commission, Louisiana State**

Avant, Harry L.  
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Shreveport, LA 71106

Colomb, Lester (Jr.) J.  
9331 LA Hwy. 82  
Abbeville, LA 70510-2356

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Monroe, LA 71201

Shea, James T.  
3401 Old Spanish Trail East  
New Iberia, LA 70560

Wright, Bob F.  
3 Poydras St/Unit 10 E-F/1 River Pl  
New Orleans, LA 70130

### **Real Estate Appraisal State Board of Certification, Louisiana**

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New Orleans, LA 70117

Ponchatoula, LA 70454

Passantino, Rosemary S.  
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St. Martin, M.D., Eugene C.  
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Gibbs, Whalen (Jr.) H.  
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Hymel, Stephen J.  
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Whitehorn, Henry  
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Colbert, Ernest (Jr.)  
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Plauche, Dale T.  
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Maxwell, LeAnn C.  
1053 Hidden Ridge  
Woodworth, LA 71485  
Pugh, R. Wayne  
1958 Woodchase Boulevard  
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**Red River Waterway Commission**

Belgard, Harmon R.  
190 Donnie Price Road  
Deville, LA 71328

**Regents, Board of**

Rasberry, Jr., W. Clinton "Bubba" C.  
4731 Fairfield Avenue  
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**Regional and Local Economic Development, Task Force**

Knapp, Adam  
919 Mayflower Street  
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**Regional Trauma-Patient Care Statewide System Task Force**

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Durand (Rep.), Sydnie Mae  
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Schedler, (Sen), Tom  
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Schumacher, Steven (M.D.) S.  
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Thomas, John (M.D.) A.  
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Thompson, (Rep) Francis C.  
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Trevino, Chris (M.D.)  
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Turnage, Richard (M.D.)  
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**Rehabilitation Council, Louisiana**

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Singelmann, Brenda G.  
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Metairie, LA 70003

**Revenue, Department of**

Bridges, Cynthia J.  
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Lymon, Clarence J.  
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Prairieville, LA 70769

Matherne, Gary J.  
9705 Greenwich Avenue  
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Painter, Murphy J.  
408 E. Sanders St  
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Robinson, Kimberly L.  
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Scott, Gwendolyn M.  
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Shepler, Courtney R.  
11746 Villa Avenue  
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Van Brocklin, Kurt  
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**River Parishes Tourist Commission**

Aucoin, Paul G.  
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Norton, Michael A.  
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LaPlace, LA 70068

Touchard, Rochelle Cancienne  
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**Sabine River Authority, Board of Commissioners for the**

Arbuckle, Norman  
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Logansport, LA 71049

Cupit, Daniel W.  
916 Live Oak  
WestLake, LA 70669

DeBarge, John A.  
136 Magnolia Road  
Hackberry, LA 70645

Freeman (Mayor), Kenneth A.  
1055 W. Alabama  
Many, LA 71449

Lemieux, Donald J.  
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Zwolle, LA 71486

Nash, Therman  
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Scott, Estella  
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Deridder, LA 70634

Steed, Sr., Ronald E.  
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Thrasher, Bobby G.  
297 Case Road  
Many, LA 71449

Valentine, Kermie S.  
1806 Cornell Street  
Mansfield, LA 71052

Vidrine, Stanley  
1632 Amalynn Drive  
DeRidder, LA 70634

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June 18, 2004

## 48th DAY'S PROCEEDINGS

### School Board Member, District 13, Parish of Evangeline

Wilson, Georgianna L.  
1824 Clement Street  
Ville Platte, LA 70586

### Secretary of State Department

Ater, Alan R. Caballero, Amy T.  
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Waterproof, LA 71375 Baton Rouge, LA 70809

Martin, III, Wade O. Russell, Michael W.  
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Port Allen, LA 70767 Baton Rouge, LA 70809

### Serve Commission, Louisiana

Cole, Cade R. Holt, Sibal S.  
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DeQuincy, LA 70633 Baton Rouge, LA 70810

Jones-Bridgett, Jennifer Lewis, Helen M.  
9151 Woodbine Street 4570 Louisiana Ave.  
Baton Rouge, LA 70815 Lake Charles, LA 70607

Myers, Jr., Porter "Cecil" Oliver, Elizabeth A.  
116 Myrtlewood Drive 108 Esplanade Court  
Pineville, LA 71360 Bossier, LA 71111  
Picard, Cecil J. Priestley, Eugene  
2828 Congress Blvd, Unit #15 2281 New York Street  
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Robertson, James C.  
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### Social Services, State Department of

Garner-Gautreau, Marketa Porche Ricks, Terri  
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Baton Rouge, LA 70810 Baton Rouge, LA 70808

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### **Report of Committee on SENATE AND GOVERNMENTAL AFFAIRS**

Senator Charles D. "C.D." Jones  
Chairman on behalf of the Committee on

### **SENATE AND GOVERNMENTAL AFFAIRS**

submitted the following report:

Senate Chamber  
State Capitol  
State of Louisiana - Baton Rouge, LA

June 17, 2004,

To the President and Members of the Senate:

Gentlemen:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The committee recommends that the following notaries be confirmed:

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June 18, 2004

## 48th DAY'S PROCEEDINGS

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June 18, 2004

## 48th DAY'S PROCEEDINGS

Bossier City, La 71112

Catherine J. Leckie  
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Billie Margaret Maynard  
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Haughton, La 71037

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Diana Woodard Barber 222 Lake St. Shreveport, La 71101	Lacinda Brantley 3215 Knight St., Apt. 172 Shreveport, La 71105	Deborah M. Couriskey 601 W. Louisiana Ave. Vivian, La 71082	Vickie Sue Figueiredo 1000 S. Spruce St. Vivian, La 71082
Theresa Barker 9474 Woodcrest Dr. Shreveport, La 71118	Frank E. Brown, Jr. 4615 Monkhouse Dr., Ste. A-15 Shreveport, La 71109	Phyllis A. Crady 10114 Plum Point Rd. Oil City, La 71061	Bertel C. Fite P.O. Box 1231 Shreveport, La 71163
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Barbara Semon 333 Unadilla St. Shreveport, La 71106	Misty L. Tidovsky 8805 Line Ave., Ste. 200 Shreveport, La 71106	Jodi E. Zeigler 6121 Line Ave. Shreveport, La 71106	Lori C. Campbell P.O. Box 7278 Lake Charles, La 70606
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# Page 136 SENATE

June 18, 2004

## 48th DAY'S PROCEEDINGS

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Sulphur, La 70663

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Sandra Hartman  
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Jamie Comeaux Hebert  
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Renee LeBleu

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Lake Charles, La 70601

Amy L. Lorenz  
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Dequincy, La 70633

Joel M. Lutz  
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4810 Industrial Dr.  
New Iberia, La 70560

Lana Soileau  
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Lafayette, La 70502

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804-A Souvenir Gate  
Lafayette, La 70506

Regena Stelly  
229 Stelly Rd.  
Carencro, La 70520

Mark Edward Stipe  
P.O. Drawer 3408  
Lafayette, La 70502

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138 Pinnacle Dr.  
Youngsville, La 70592

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Opelousas, La 70570

Keith P. Touchet  
1408 W. Willow St. #162  
Lafayette, La 70506

Beverly H. Toups  
213 Bartmoor Dr.  
Lafayette, La 70506

Rebecca T. Trahan  
128-C Steiner Rd.  
Lafayette, La 70508

Susan F. Trahan  
212 Highland Dr.  
Lafayette, La 70506

Harry Lane Tuten, III  
P.O. Drawer 51769  
Lafayette, La 70505

Aimee Waguespack  
204 Denette St.  
Duson, La 70529

Donna M. Walker  
120 Percy Rd.  
Scott, La 70506

Heather K. Walker  
P.O. Drawer 2908  
Lafayette, La 70502

Barbara A. Williams  
404 Martin St.  
Breaux Bridge, La 70517

Cassie Lynn Willis

P.O. Drawer 94-C  
Lafayette, La 70509

Jason E. Wilson  
926 Coolidge Blvd.  
Lafayette, La 70503

D'Lane A. Wimberley  
199 Southfield Pkwy  
Lafayette, La 70506

Jonathan L. Woods  
P.O. Drawer 94-C  
Lafayette, La 70509

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Larose, La 70373

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Grayson, La 71435

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Trout, La 71371

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Jena, La 71342

Candace G. Poole  
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Jena, La 71342

James Robbins  
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Jena, La 71342

Angie J. Sandifer  
P.O. Box 2408  
Jena, La 71342

Stephanie Stapleton  
P.O. Box 26  
Jena, La 71342

Nancy R. Thompson  
P.O. Box 602  
Jena, La 71342

**Lincoln**  
Randell Alexander

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## 48th DAY'S PROCEEDINGS

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Stacie Ambrose  
P.O. Box 344  
Choudrant, La 71227

Cheryl J. Anderson  
1610 Furman St.  
Ruston, La 71270

Cherri Barmore  
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Ruston, La 71270

Heather Billberry  
1255 Henry Rd.  
Dubach, La 71235

Joyce M. Colvin  
P.O. Box 777  
Ruston, La 71270

Christi Faulkner  
P.O. Drawer 1867  
Ruston, La 71270

Terri R. Frasier  
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Dubach, La 71235

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Ruston, La 71273

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415 Moody Rd.  
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I. Rebecca Garza  
704 Tarreyton Dr.  
Ruston, La 71270

Shelia Gilmore  
2735 Martha St.  
Simsboro, La 71275

William Kyle Green  
622 Burgessville Rd.  
Ruston, La 71270

Jana B. Gullede  
1511 N. Trenton  
Ruston, La 71270

Heather Rhea Harrel  
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Ruston, La 71270

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Ruston, La 71273

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163 Emory Rd.  
Choudrant, La 71227

James H. Jones  
422 Carriage Way  
Ruston, La 71270

Karan Kirkham  
656 Walker Rd.  
Choudrant, La 71227

Alisha Levingston  
1406 Taylor St.  
Ruston, La 71270

Mary C. Littrell  
2301 McDonald Ave.  
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Vonda B. Madden  
1511 N. Trenton St.  
Ruston, La 71235

Kellie S. Malone  
904 Orleans Dr.  
Ruston, La 71270

Fonda Malone  
1306 Milk Dr.  
Ruston, La 71270

Faye McMichael  
200 Breard  
Monroe, La 71201

Don Samuel Mears  
P.O. Box 4745  
Monroe, La 71211

Carlene Myers  
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Dubach, La 71235

Tracy L. Oakley  
P.O. Drawer 1867  
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Simsboro, La 71275

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Tim Taunton  
3312 English Turn  
Ruston, La 71270

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413 Natchitoches  
West Monroe, La 71291

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Arcadia, La 71001

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400 N. Vienna  
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Ruston, La 71270

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Simsboro, La 71275

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Patsy Love Appling  
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Denham Springs, La 70726

Melissa W. Arcement  
121 Joan St.  
Denham Springs, La 70726

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Denham Springs, La 70706

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Denham Springs, La 70726

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Denham Springs, La 70726

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Baton Rouge, La 70802

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Denham Springs, La 70726

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St. Amant, La 70774

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Livingston, La 70754

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Denham Springs, La 70726

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Denham Springs, La 70706

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6719 Perkins Rd.  
Baton Rouge, La 70808

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Denham Springs, La 70706

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Denham Springs, La 70726

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Denham Springs, La 70726

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Albany, La 70711

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P.O. Box 11  
Hammond, La 70404

Donna G. LeBlanc  
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Walker, La 70785

Susan C. Lemoine  
37728 Rue De Vior

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Danielle Brock Mensman 2355 Drusilla Ln. Baton Rouge, La 70895	Fred L. Winder P.O. Box 561 Springfield, La 70462	Katrice R. Baker 4115 University Pkwy. Natchitoches, La 71457	Sylvia L. McGaskey 244 Keyser Ave. Natchitoches, La 71457
Christopher Steven Mensman P.O. Box 98001 Baton Rouge, La 70898	<b>Madison</b> Beth Anne Brazil 204 East Oughbourne St. Tallulah, La 71282	Yolanda Denise Bobb P.O. Box 451 Natchitoches, La 71457	Kristin Nelson 242 Keyser Ave., Pmb 240 Natchitoches, La 71457
Mary Katherine Metternich 138 McGehee Dr. Baton Rouge, La 70815	Len Neumann 13 Crothers Dr. Tallulah, La 71282	Joyce A. Boyt 146 Rue St. Denis St. Natchitoches, La 71457	Donna Rister Owens 1218 Lena-Flatwoods Rd. Lena, La 71447
Melissa A. Neyland 8455 Pink Graves Rd. Denham Springs, La 70706	Michael Wilson 13 Crothers Dr. Richmond, La 71282	Jo Nell Burr 430 Keyser Ave. Natchitoches, La 71457	Bobbie J. Plaisance 8979 Hwy. 117 Provencal, La 71468
Valencia Walker Phelps 10694 Sims Rd. Denham Springs, La 70706	<b>Morehouse</b> Rebecca Lee Allred 9194 Kenny Kimball Rd. Bastrop, La 71220	Sheila Carpenter 349 Eugene Garrett Rd. Winnfield, La 714783	Lesley Ramian 250 Plantation Point Blvd. Natchitoches, La 71457
Erik Stafford Pittman 1207 Florida Ave. East Denham Springs, La 70726	Joseph E. Chaney, III 294 Hwy. 3048 Rayville, La 71269	Brian A. Carroll 104 Riverview Dr. Bermuda, La 71456	Lona Saffel 4045 US Hwy. 71/84 Campti, La 71411
Lorrie E. Powers 448 Cockerham Ave. Denham Springs, La 70726	Charissa Annette Holmes 211 Williams Dr. Bastrop, La 71220	Janice M. Cross 5879 Hwy. 1 By-pass Natchitoches, La 71457	Doris Sanders 1400 Sabine St. Natchitoches, La 71457
Jeffery P. Purpera, Jr. 1244 S. Range Ave. Denham Springs, La 70726	Amy B. Jones 6685 Sonny Boy Yeldell Bastrop, La 71220	Beverly A. Faulkner 701 Keyser Ave. Natchitoches, La 71457	Rachel Jeanette Smith P.O. Box 70 Natchitoches, La 71458
Jacquelyn J. Reed 440 Foster St. Denham Springs, La 70726	Phyllis Eubanks Knight 7327 James Chunn Rd. Bastrop, La 71220	Linda S. Fobb 1116 Amulet St. Natchitoches, La 71457	Lee P. Vickers 200 John Prudhomme Rd. Natchez, La 71456
Janice Reese 8440 Jefferson Hwy. #301 Baton Rouge, La 70809	Kelly C. Lindeman 9316 Cooper Lake Rd. Bastrop, La 71220	Dawn M. Gandy P.O. Box 668 Provencal, La 71468	Cristy L. Walker P.O. Box 319 Campti, La 71411
Angela D. Sibley P.O. Box 639 Livingston, La 70754	Nancy M. Long P.O. Box 2350 Monroe, La 71207	Kecia Rae Glynn 714 Fourth St. Natchitoches, La 71457	Elizabeth Allums Widhalm 316 Stephens Ave. Natchitoches, La 71457
Patricia S. Stubbs 10501 Eagle Crest Rd. Denham Springs, La 70726	<b>Natchitoches</b>	<b>Orleans</b> Kiana M. Aaron 3421 N. Causeway, 9th FL. Metairie, La 70002	
Rebecca Tripp 9293 Claudette Ln. Denham Springs, La 70706	Patrice D. Smith 2205 Gemini Dr. Bastrop, La 71220	Buford I. Grappe 1647 Clark Rd. Campti, La 71411	John Nicholas Adriani, Jr. 818 North Blvd. Baton Rouge, La 70802
Jason M. Verdigets 35995 Portsmouth Denham Springs, La 70706		Kimberly F. Lacaze 137 Trudeau St.	Alicia Aranguren 241 Jewel St.

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## 48th DAY'S PROCEEDINGS

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Anna C. Artiomow  
7820 Maple St.

New Orleans, La 70118

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5523 S. Johnson St.  
New Orleans, La 70125

Alexis P. Basilevsky  
1100 Poydras St., Ste. 2200  
New Orleans, La 70163

Alana Bishop  
517 Frenchman St.  
New Orleans, La 70116

Angela C. Blandino  
201 St. Charles Ave., 40th FL.  
New Orleans, La 70170

Seth Bloom  
448 Julia St. #310  
New Orleans, La 70130

Jason Rhett Bonnet  
1100 Poydras St., Ste. 1700  
New Orleans, La 70163

Peggy E. Bordelon  
601 Poydras St., Ste. 2490  
New Orleans, La 70130

Aynsley B. Bourne  
320 N. Carrollton, Ste. 101  
New Orleans, La 70119

Monica Victoria Harris Bowers  
4457 Mandeville St.  
New Orleans, La 70122

Joelle T. Bowers  
145 Robert E. Lee Blvd.  
New Orleans, La 70124

Amanda L. C. Bradley  
1100 Poydras St., Ste. 3600  
New Orleans, La 70163

Lisa Brener  
1515 Poydras St., Ste. 1900  
New Orleans, La 70112

Dominique Bright-Wheeler  
6409 Baccich St.  
New Orleans, La 70122

Susan T. Broussard  
225 Baronne St., 11th FL.  
New Orleans, La 70112

Audrey N. Browne  
650 Poydras St.  
New Orleans, La 70130

Janet M. Buggee  
909 Poydras St., Ste. 2000  
New Orleans, La 70112

Rebecca Goforth Bush  
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New Orleans, La 70170

Robert A. Caplan  
3631 Canal St.  
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Celeste J. L. Cardin  
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New Orleans, La 70113

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New Orleans, La 70119

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Leo D. Congeni  
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Jose' C. Corrada  
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New Orleans, La 70130

Michael Joseph Ecuyer  
1100 Poydras St., Ste. 2800

New Orleans, La 70163

Jennifer D. Edie  
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New Orleans, La 70130

Amy Kent Edmond  
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New Orleans, La 70112

Vicki A. Elmer  
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New Orleans, La 70112

Robert S. Emmett  
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New Orleans, La 70130

Veleka Eskinde  
1116 Cambronne, Ste. A  
New Orleans, La 70118

Robert Bruce Evanick  
400 Lafayette St., Ste. 200  
New Orleans, La 70130

John J. Fischesser, II  
145 Robert E. Lee, Ste. 408  
New Orleans, La 70124

Deborah A. Fleming  
235 Burgundy St.  
New Orleans, La 70112

Sally Dunlap Fleming  
522 Calhoun St.  
New Orleans, La 70118

Robyn Suzanne Ford  
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New Orleans, La 70170

Kristina Furra  
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6823 St. Charles Ave., Ste. 300  
New Orleans, La 70118

Kelly Tamara Gilmore  
2408 Constance St.  
New Orleans, La 70130

Vincent Joseph Giordano, III 1808 N. Rampart St. New Orleans, La 70116	704 Carondelet St. New Orleans, La 70130	New Orleans, La 70117	Chaunta Mero 1401 Foucher St. New Orleans, La 70115
Karen Glaser 2735 Tulane Ave. New Orleans, La 70119	Ellen M. Hazeur 5121 Easterlyn Circle New Orleans, La 70128	Stephen Skelly Kreller 5607 Prytania St., Apt. G New Orleans, La 70115	James Michael Monsour 201 St. Charles Ave., 35th FL. New Orleans, La 70170
Oliver Gloag 601 Poydras St., Ste. 2655 New Orleans, La 70130	Aimee Williams Hebert 201 St. Charles Ave., 40th FL. New Orleans, La 70170	Scot Joseph Labourdette 3414 Canal St. New Orleans, La 70119	John Marron Monsour 201 St. Charles Ave., Ste 3800 New Orleans, La 70170
John S. Godfrey 1100 Poydras St., Ste. 2500 New Orleans, La 70163	Cynthia J. Hebert 7820 Maple St. New Orleans, La 70118	Dorothy S. Watkins Lawrence 909 Poydras St., Ste. 2800 New Orleans, La 70112	Erick G. Montalban 203 Carondelet St., Ste. 717 New Orleans, La 70130
Mandy A. Goldman 1515 Poydras St., Ste. 2380 New Orleans, La 70112	Katherine A. Hoffman 2000 Tulane Avenue New Orleans, La 70112	James Leathem 909 Poydras St., Ste. 2000 New Orleans, La 70112	Linda P. Morin 2800 Gravier New Orleans, La 70119
Demarcus J. Gordon 400 Lafayette St., Ste. 200 New Orleans, La 70130	Kristie Holm 5528 South Claiborne Ave. New Orleans, La 70125	Shelly Leeke 301 Loyola Ave. New Orleans, La 70112	Cory Scott Morton 1100 Poydras St., Ste. 2100 New Orleans, La 70163
William G. Gordon, III 3632 Canal St. New Orleans, La 70119	Nicole A. Ieyoub 909 Poydras St., Ste. 2550 New Orleans, La 70112	Deana Palmisano Lejarza 201 St. Charles Ave, 35th FL. New Orleans, La 70170	George A. Mueller, III 201 St. Charles Ave., 51st FL. New Orleans, La 70170
Jill M. Grieshaber 5704 Magazine St. New Orleans, La 70115	Suzan E. Jackson 5790 Crowder Blvd. New Orleans, La 70127	Michael David Lonegrass 701 Poydras St., 40th FL. New Orleans, La 70139	Meghan Elizabeth Munger 1518 Hwy. 30 East Gonzales, La 70737
Martha Griset 302 Broadway St. New Orleans, La 70118	Lakeisha N. Jefferson 421 Loyola Ave., Rm. 206 New Orleans, La 70112	Sally Longmire 639 Loyola Ave., Ste. 2500 New Orleans, La 70113	Allison K. Nestor 2100 St. Charles Ave., 8E New Orleans, La 70130
Cory Parish Gruntz 639 Loyola Ave. New Orleans, La 70113	Evelyn B. Johnson 729 Harrison Ave. New Orleans, La 70124	Michelle H. Lyon 3850 N. Causeway, Ste. 1240 New Orleans, La 70170	William W. Newton 1100 Poydras St., Ste. 1700 New Orleans, La 70163
Susan G. Guidry 125 S. Genois St. New Orleans, La 70119	Lloyd S. Jolibois, Jr. 365 Canal St., Ste. 2850 New Orleans, La 70130	Peter Michael Mansfield 701 Poydras St., Ste. 4500 New Orleans, La 70139	Mark Thomas Perron 225 Baronne St., Ste. 2112 New Orleans, La 70112
Robert Kevin Hamilton 201 St. Charles Ave., 49th FL.. New Orleans, La 70170	Sunni D. Jones 365 Canal St., Ste. 2000 New Orleans, La 70130	Nicole R. Marsh 400 Lafayette St., Ste. 200 New Orleans, La 70130	Darleene D. Peters 400 Poydras St., Ste. 2700 New Orleans, La 70130
Stephen Hanemann 601 Poydras St., 21st FL. New Orleans, La 70130	Ashlye M. Keaton 2223 Magazine St., 1st FL. New Orleans, La 70130	John Andrew Marzullo 1250 Poydras St., Ste. 400 New Orleans, La 70113	Racquel Burns Pettigrew 1911 Odeon Ave. New Orleans, La 70114
Eve Blancher Hankins 4520 Canal St New Orleans, La 70119	Rachel Smith Kellogg 328 Lafayette St. New Orleans, La 70130	Christopher M. McNabb 328 Lafayette St. New Orleans, La 70130	Jimmie Pierre 365 Canal St., Ste. 2300 New Orleans, La 70126
Shirin E. Harrell 700 Camp St. New Orleans, La 70130	Brian King 1329 Short St. New Orleans, La 70118	Marsha A. Mediamolle 63 Lakewood Estates Dr. New Orleans, La 70131	Kay A. Pitman 1515 Poydras St., Ste. 2070 New Orleans, La 70112
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New Orleans, La 70170

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New Orleans, La 70170

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New Orleans, La 70112

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Gregory R. Swygert  
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Pearlina Thomas  
6128 Pratt Thomas  
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Julie C. Tizzard  
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New Orleans, La 70119

Lisa Marie Tobias  
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Joseph Tomkiewicz  
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Jarred G. Trauth  
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Allyson Dorsey Tuttle  
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New Orleans, La 70113

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Metairie, La 70002

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New Orleans, La 70119

Vanessa Waguespack  
201 St. Charles Ave.  
New Orleans, La 70170

Charles B. Wallace  
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New Orleans, La 70139

Ryan C. Wallis  
400 Lafayette St., Ste. 200  
New Orleans, La 70130

Thomas F. Weymann

1922 S. Carrollton Ave.  
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## 48th DAY'S PROCEEDINGS

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## 48th DAY'S PROCEEDINGS

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Lisa A. Gardner 1020 Antoine Cretien Broussard, La 70518	Melissa L. Theriot 1020 Petite Rd. St. Martinville, La 70582	Gloria Gunther 1550 Youngs Rd. Morgan City, La 70380	Jennifer H. Asche 2771 Third St., Ste. 203 Slidell, La 70458
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## 48th DAY'S PROCEEDINGS

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Winnfield, La 71483Jimmy Wayne Wiley, Jr.  
P.O. Box 447  
Winnfield, La 71403**Privilege Report of the Committee on  
Senate and Governmental Affairs****ENROLLMENTS**Senator Jones, Chairman on behalf of the Committee on Senate  
and Governmental Affairs, submitted the following report:

June 18, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental  
Affairs to submit the following report:The following Senate Concurrent Resolution has been properly  
enrolled:**SENATE CONCURRENT RESOLUTION NO. 163—**BY SENATOR N. GAUTREAUX  
A CONCURRENT RESOLUTIONTo urge and request the Board of Regents to study the feasibility of  
creating two separate systems out of the Louisiana Community  
and Technical College System.Respectfully submitted,  
CHARLES D. JONES  
ChairmanThe foregoing Senate Concurrent Resolution was signed by the  
President of the Senate.**Privilege Report of the Committee on  
Senate and Governmental Affairs****ENROLLMENTS**Senator Jones, Chairman on behalf of the Committee on Senate  
and Governmental Affairs, submitted the following report:

June 18, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental  
Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

**SENATE BILL NO. 16—**BY SENATOR B. GAUTREAUX  
AN ACTTo enact R.S. 17:183, relative to the hazing of students; to provide  
for legislative intent; to provide definitions; to prohibit hazing;  
to require city, parish, and other local public school boards to  
adopt, enforce, and post hazing policies; to provide for the  
required content of such policies; and to provide for related  
matters.**SENATE BILL NO. 795—**BY SENATORS BOISSIERE AND HAINKEL AND REPRESENTATIVE  
MURRAY

AN ACT

To enact R.S. 42:1111(A)(3), relative to the Code of Governmental  
Ethics; to provide an exception to the prohibition on the receipt  
of payment for governmental services by a public servant from  
a nongovernmental source; to provide relative to the  
requirements of such exception; and to provide for related  
matters.**SENATE BILL NO. 800—**BY SENATOR MOUNT AND REPRESENTATIVE JOHNS  
AN ACTTo amend and reenact R.S. 37:2175.2(C) and to enact R.S. 37:2171.2  
relative to contractors; to provide for requirements for issuance  
of local building permits; to provide for additional requirements

for home improvement contractors; and to provide for related matters.

**SENATE BILL NO. 864—**

BY SENATOR MCPHERSON AND REPRESENTATIVE FARRAR  
AN ACT

To amend and reenact R.S. 33:3815.2(E), relative to powers of waterworks districts; to provide relative to a waterworks district of one parish supplying water to or taking water from an adjoining parish; to provide certain terms, procedures, and conditions; and to provide for related matters.

**SENATE BILL NO. 72—**

BY SENATOR MCPHERSON  
AN ACT

To enact Part V-A of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:115, relative to claims against the state; to provide for notification to the Joint Legislative Committee on the Budget of certain claims against the state; and to provide for related matters.

**SENATE BILL NO. 128—**

BY SENATOR N. GAUTREAUX AND REPRESENTATIVE FRITH  
AN ACT

To amend and reenact R.S. 40:1498(A), relative to the Fire Protection District No. 7 of Vermilion Parish; to provide with respect to compensation for certain officers of the governing board; and to provide for related matters.

**SENATE BILL NO. 205—**

BY SENATOR BOISSIERE  
AN ACT

To amend and reenact R.S. 11:3682(13), (16), and (26), 3683(1), (2), and (3)(a), 3684(D) and (E), 3685(B)(8), and 3689(A) and (C), relative to the Harbor Police Retirement System; to provide with respect to definitions; to correct references to citations; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 209—**

BY SENATOR ADLEY AND REPRESENTATIVE DOERGE  
AN ACT

To amend and reenact the introductory paragraph of R.S. 17:3048.1(C)(4) and (C)(4)(a) and (c), relative to the alternative means for determining residency for Tuition Opportunity Program for Students purposes for certain dependent students who graduate from eligible Louisiana high schools and have a parent or court-ordered custodian who resides in an adjoining state; to require that a student's parent or court-ordered custodian who is a resident of a state adjoining Louisiana and resides in a county that adjoins a parish with a certain population; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 363—**

BY SENATOR HOLDEN  
AN ACT

To release the city of Baker School Board from certain obligations owed by the school board to the state of Louisiana; to release and discharge the city of Baker School Board from the interest owed to the state; to provide for a repayment schedule; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 364—**

BY SENATOR ROMERO  
AN ACT

To enact R.S. 16:2(F), relative to the district attorney for the Sixteenth Judicial District; to provide for contributions from the parish school boards and governing authorities in the parishes of Iberia, St. Mary and St. Martin to defray costs of representation; and to provide for related matters.

**SENATE BILL NO. 463—**

BY SENATOR DARDENNE  
AN ACT

To enact R.S. 17:3803(B)(1)(h), relative to the treasurer's investment authority of Louisiana Education Quality Trust Fund monies; to provide for the investment of Louisiana Education Quality Trust Fund monies in certain permitted investments; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 480—**

BY SENATOR THEUNISSEN  
AN ACT

To amend and reenact R.S. 33:4574(A)(2)(o) and 4574.1-A(A)(1)(o), relative to tourist commissions; to provide for the territorial composition of the Jefferson Davis Parish Tourist Commission; and to provide for related matters.

**SENATE BILL NO. 490—**

BY SENATOR CRAVINS  
AN ACT

To amend and reenact R.S. 15:150(C)(1) and (F)(1) and to enact R.S. 15:150(B)(3), relative to regional defense service centers; to provide that a regional defense service center shall include a regional juvenile defense center; to grant a regional defense service center authority to contract for representation of juveniles in all courts having juvenile jurisdiction; and to provide for related matters.

**SENATE BILL NO. 523—**

BY SENATOR BAJOE AND REPRESENTATIVES ARNOLD, BALDONE, BURRELL, HEATON AND WOOTON  
AN ACT

To enact R.S. 14:95.2.1, relative to offenses affecting public safety; to provide for the crime of illegally carrying of firearms during a parade or demonstration when used to commit certain crimes; to provide for definitions; to provide for penalties; and to provide for related matters.

**SENATE BILL NO. 535—**

BY SENATOR IRONS  
AN ACT

To amend and reenact R.S. 40:1300.52(D)(1)(a) and 1300.53(A)(1)(a), relative to certain care facilities; to provide relative to criminal history; to provide relative to the conviction of certain crimes; to provide relative to employment of nonlicensed persons in certain care facilities; to prohibit such employment for persons convicted of such crimes; and to provide for related matters.

**SENATE BILL NO. 655—**

BY SENATOR DARDENNE  
AN ACT

To amend and reenact R.S. 33:1352(3) and (5), 1353(A)(1), (3), (4) and (B), 1355, 1356, 1357, 1359(A), (B), (D), and (E), and 1360, and to repeal R.S. 33:1352(6) relative to self insurance

programs for local housing authorities; relative to administration of self insurance funds; and to provide for related matters.

**SENATE BILL NO. 730—**

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE  
AN ACT

To enact R.S. 17:3390(F), relative to private nonprofit corporations which support public higher education institutions; to provide relative to records of certain payments by such organizations to employees of postsecondary institutions or employees or officers of certain boards; to provide for the application of public records laws; and to provide for related matters.

**SENATE BILL NO. 746—**

BY SENATOR N. GAUTREAUX AND REPRESENTATIVE FRITH  
AN ACT

To enact Code of Civil Procedure Art. 4843(L), relative to the city courts of Abbeville and Kaplan; to increase the civil jurisdiction of the courts; and to provide for related matters.

**SENATE BILL NO. 874 (Substitute for Senate Bill No. 697 by Senator Irons)—**

BY SENATORS IRONS AND BAJOE  
AN ACT

To enact R.S. 17:3992(A)(3) and 3995(A)(6), relative to the International School of Louisiana and certain other type 2 charter schools; to provide with regard to the funding of certain type 2 charter schools; to mandate full funding of such schools; and to provide for related matters.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

**Message to the Governor****SIGNED SENATE BILLS**

June 18, 2004

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

**SENATE BILL NO. 8—**

BY SENATORS B. GAUTREAUX AND ROMERO  
AN ACT

To enact R.S. 49:170.12, relative to state symbols; to designate St. Mary Parish as the Gateway to the Atchafalaya Basin; and to provide for related matters.

**SENATE BILL NO. 55—**

BY SENATOR JONES  
AN ACT

To amend and reenact R.S. 18:464(A) and 1280.22(A), relative to elections; to provide for payment of qualifying fee by means of a certified or cashier's check or a money order issued by a credit union; and to provide for related matters.

**SENATE BILL NO. 98—**

BY SENATORS FIELDS, DARDENNE, HOLDEN AND MARIONNEAUX

AN ACT

To amend and reenact R.S. 13:992.1(C) and (D), relative to judicial expense funds of district courts; to provide relative to the building fund of the Nineteenth Judicial District; to provide relative to the construction of a new facility in such district; to extend the time limit for accepting bids for such facility; and to provide for related matters.

**SENATE BILL NO. 126—**

BY SENATOR ULLO

AN ACT

To enact R.S. 24:511(E), relative to the legislative auditor; to authorize the legislative auditor to appoint a first assistant; to provide that the legislative auditor shall establish the salary, duties and authority of the first assistant legislative auditor; to provide for the first assistant legislative auditor to serve as acting legislative auditor in absence of the legislative auditor or vacancy in the office of the legislative auditor; and to provide for related matters.

**SENATE BILL NO. 142—**

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 33:4094.1(C), relative to the city of New Orleans; to extend the authorization for a voter-approved drainage tax within the city; and to provide for related matters.

**SENATE BILL NO. 238—**

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 17:2005(A) and (C), relative to an annual report issued by the Board of Supervisors of Community and Technical Colleges; to make certain changes to the content of the report and the time period for reporting; and to provide for related matters.

**SENATE BILL NO. 330—**

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 13:964.1(A)(2)(a) and (D) and to enact R.S. 13:964.1(E), relative to courts; to provide relative to the Fourteenth Judicial District Court; to provide relative to the indigent transcript fund for such court; to provide relative to tasks for which court reporters shall be compensated from such fund; to provide with regard to the nature of the compensation paid to court reporters from such fund; and to provide for related matters.

**SENATE BILL NO. 345—**

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 27:306(A)(4)(c)(ii) and (C)(2)(a) and (3), relative to the Video Draw Poker Devices Control Law; to provide for requirements for qualified truck stop facilities; to provide for necessary restaurant criteria; to provide for the locations of truck stops; and to provide for related matters.

**SENATE BILL NO. 367—**

BY SENATORS HINES, CHEEK, AMEDEE, BOISSIERE, CRAVINS, DUPRE, FIELDS, FONTENOT, HOLDEN, HOLLIS, JONES, LENTINI, MARIONNEAUX, MCPHERSON AND MICHOT AND REPRESENTATIVES ARNOLD, BADON, BAUDOIN, CAZAYOUX, DARTEZ, DORSEY, DOVE, DURAND, ERDEY, FRITH, GALLOT, GLOVER, HEBERT, HONEY, HUNTER, JACKSON, MARCHAND, ODINET, QUEZAIRE, RICHMOND, ROMERO, SHEPHERD, ST. GERMAIN, TOWNSEND, TRAHAN, WADDELL, WALSWORTH AND WHITE

AN ACT

To amend and reenact R.S. 33:2011(B), relative to health insurance; to provide with respect to the fire department; to provide for the classification of certain types of cancer as occupational diseases or infirmities connected with the duties of a firefighter; and to provide for related matters.

**SENATE BILL NO. 387—**

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 37:935, relative to the practice of registered nursing; to provide authority for registered nurses to administer analgesic doses of anesthetic agents; and to provide for related matters.

**SENATE BILL NO. 243—**

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:62 (introductory paragraph) and (5)(a) and (c) and R.S. 24:36(A), (C)(1) and (2), and (E)(3), relative to the Louisiana State Employees' Retirement System; to include the attorney general, certain legislative employees, and the secretary of state as members eligible to receive additional benefits; to provide with respect to service credit; to provide for credit for service previously rendered; to provide for additional contributions; to provide for computation of benefits payable; to provide for membership; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 356—**

BY SENATORS CHEEK AND JACKSON AND REPRESENTATIVES BAYLOR AND GLOVER

AN ACT

To amend and reenact R.S. 33:2711.15(A), (C)(1), (C)(2), the introductory paragraph of (C)(3), and (C)(4) and to enact R.S. 33:2711.15(F) and 2740.38, and to repeal Act No. 573 of the 1975 Regular Session, Act No. 554 of the 1978 Regular Session, Act No. 411 of the 1980 Regular Session, Act No. 163 of the 1984 Regular Session, and Act No. 265 of the 2003 Regular Session, relative to local sales and use taxes and the Shreveport Downtown Development District; to provide for renewal of certain additional sales and use taxes imposed by the city of Shreveport for use by the fire and police departments; to codify certain existing laws governing the creation and powers, duties, functions, and responsibilities of the Shreveport Downtown Development District; to provide for the composition and powers of the governing board; to provide for preparation of plans; to provide for the levy of ad valorem taxes and the issuance of bonds; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 388—**

BY SENATOR MCPHERSON AND REPRESENTATIVE SCALISE

AN ACT

To enact R.S. 36:4(B)(17) and R.S. 49:210.2, relative to the office of the governor; to create the office of the coordinator of faith-based programs within the office of the governor; to provide for the duties and responsibilities of the coordinator; and to provide for related matters.

**SENATE BILL NO. 438—**

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 14:67.10(B)(2), relative to theft of goods; to increase the threshold value of misappropriated goods for the purpose of meeting felony status; and to provide for related matters.

**SENATE BILL NO. 439—**

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 14:78.1 (C), relative to aggravated incest; to provide that consent is not a defense to aggravated incest; and to provide for related matters.

**SENATE BILL NO. 441—**

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 14:30(A)(7), relative to first degree murder; to provide for intent to inflict great bodily harm while engaged in ritualistic acts; and to provide for related matters.

**SENATE BILL NO. 443—**

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 14:32.6, relative to first degree feticide; to provide for assault by drive-by shooting and second degree kidnapping in the crime of first degree feticide; and to provide for related matters.

**SENATE BILL NO. 444—**

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 14:2(13)(kk) and 64.4, relative to robbery; to rename the offense of aggravated robbery to second degree robbery; and to provide for related matters.

**SENATE BILL NO. 445—**

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 9:315.40(2), relative to child support; to provide relative to the administrative suspension of certain licenses; to provide for definitions; to provide for compliance with an order of support; and to provide for related matters.

**SENATE BILL NO. 446—**

BY SENATORS JACKSON AND SCHEDLER AND REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 46:153.3(D)(5), relative to the Medicaid Drug Program; to provide for duties and responsibilities of the Medicaid Pharmaceutical and Therapeutics Committee; and to provide for related matters.

**SENATE BILL NO. 539—**BY SENATOR IRONS AND REPRESENTATIVE RICHMOND  
AN ACT

To amend and reenact R.S. 46:460.21(A)(3), (4) and (5), (B)(1), the introductory paragraph of (C), (C)(1)(g), and (F), and to enact R.S. 46:460.21(A)(6), (C)(1)(h), and (C)(4), relative to public welfare and assistance; to provide with respect to fees in child protection cases; to provide for an annual reserve for out-of-pocket expenses; to provide a time limit for the submission of payment request forms; to require specific attorney certifications; to provide authorization for suspension of payments not meeting necessary requirements; to require rule-making relative to recommendations of the Task Force on Legal Representation in Child Protection Cases; and to provide for related matters.

**SENATE BILL NO. 556 (Duplicate of House Bill No. 1156)—**

BY SENATORS DUPRE AND REPRESENTATIVE FUTRELL AND COAUTHORED BY SENATORS DARDENNE AND MARIONNEAUX AND REPRESENTATIVES BALDONE, BEARD, BURNS, DANIEL, DOVE, DOWNS, FANNIN, M. GUILLORY, KATZ, LAMBERT M. POWELL, SMILEY, AND TUCKER

AN ACT

To enact R.S. 15:1228.9, relative to the establishment and maintenance of the impaired driver tracking system; to provide for legislative intent; to require certain agencies to provide information regarding the arrest, prosecution, conviction, and disposition of persons arrested for certain driving offenses; to provide for the exchange of that information between agencies; and to provide for related matters.

**SENATE BILL NO. 10—**

BY SENATORS DUPRE AND ROMERO AND REPRESENTATIVE BALDONE

AN ACT

To authorize and empower the Terrebonne Parish School Board to negotiate and lease certain described properties to the Terrebonne Council on Aging, Inc.; to provide for execution of lease documents; to provide for reservation of mineral rights; and to provide for related matters.

**SENATE BILL NO. 11—**BY SENATOR THEUNISSEN AND REPRESENTATIVE RICHMOND  
AN ACT

To enact Chapter 19 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:971 through 974, relative to the Louisiana Commission on Civic Education; to establish the commission; to provide for membership; to provide for purposes of the commission; to provide relative to funding; and to provide for related matters.

**SENATE BILL NO. 48—**

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 14:402(E), relative to offenses affecting law enforcement; to provide relative to contraband prohibited in certain correctional facilities; and to provide for related matters.

**SENATE BILL NO. 57—**

BY SENATOR HOLDEN

AN ACT

To enact R.S. 17:176.1, relative to field trips and extracurricular activities; to require that school boards develop policies and procedures effecting bonding and insurance limits relating to

travel or booking agents that provide travel and lodging arrangements for students; to prohibit school principals from approving certain excursions unless in conformity with school board policies and procedures; and to provide for related matters.

**SENATE BILL NO. 70—**

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 17:85.5, relative to naming a headstart and community center; to authorize the parish school board in certain parishes to name a headstart and community center in honor of a former educator and community leader; to provide limitations; and to provide for related matters.

**SENATE BILL NO. 73—**

BY SENATORS MCPHERSON AND HOLDEN

AN ACT

To amend and reenact R.S. 22:1513(C)(2)(b) and to enact R.S. 22:250.43(C) and 250.48, relative to health insurance coverage; to provide with respect to the dental patient's option to choose services regardless of insurance coverage under specific circumstances; to provide an exception to contract requirements imposed on certain health insurers under certain circumstances; to provide for payment of services to dental providers by insurers; and to provide for related matters.

**SENATE BILL NO. 79—**

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 40:5.5(E)(2), relative to food safety; to provide with respect to the definition of a "food service establishment"; to exclude food prepared and served at private clubs; to exclude establishments that heat or prepare boudin or sausage for personal consumption; and to provide for related matters.

**SENATE BILL NO. 133—**

BY SENATOR FIELDS

AN ACT

To enact Part III of Chapter 29 of Title 33 of the Louisiana Revised Statute of 1950, to be comprised of R.S. 33:9097.1, relative to crime prevention and security districts in East Baton Rouge Parish; to create the Concord Estates Crime Prevention District; to provide relative to the purposes, governance, duties, and authority of the district; to authorize the governing authority of East Baton Rouge Parish, subject to the approval of district voters; to impose a parcel fee within the district and to provide relative to such fee; to provide relative to funds of the district; and to provide for related matters.

**SENATE BILL NO. 218—**

BY SENATOR FIELDS

AN ACT

To enact Part III of Chapter 29 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9097.1, relative to crime prevention and security districts in East Baton Rouge Parish; to create the South Burbank Crime Prevention and Development District; to provide relative to the purposes, governance, duties, and authority of the district; to authorize the governing authority of East Baton Rouge Parish, subject to the approval of district voters, to impose a parcel fee within the district and to provide relative to such fee; to provide relative to



funds of the district; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 229—**  
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 18:1462(C) and to enact R.S. 18:1462(D)(3), relative to elections; to prohibit the intimidation of a person at a polling place on election day; to prohibit commissioners from carrying weapons while at the polling place; to provide for penalties; and to provide for related matters.

**SENATE BILL NO. 51—**

BY SENATOR ULLO AND REPRESENTATIVES ALEXANDER, BADON, HONEY, KENNEY, T. POWELL AND M. POWELL

AN ACT

To amend and reenact R.S. 17:47(C)(1)(a) and (b) and 1201(C)(1)(b), relative to sick leave for certain employees of public schools; to specify the time period required to be provided to such employees who are injured or disabled under specified circumstances; to provide relative to the extension of such time period; to provide relative to physician certification of such injury or disability; to provide an effective date; and to provide for related matters.

**SENATE BILL NO. 219—**

BY SENATORS DARDENNE, BAJOE AND HINES

AN ACT

To enact R.S. 46:977 and 1906(C), relative to the immunization of certain juveniles; to provide with respect to the Hepatitis B vaccine for juveniles in state custody; and to provide for related matters.

**SENATE BILL NO. 224—**

BY SENATORS MALONE AND NEVERS AND REPRESENTATIVES ALEXANDER, BADON, CROWE, DOWNS, FANNIN, HONEY, M. POWELL, T. POWELL, RITCHIE, JANE SMITH AND TRAHAN

AN ACT

To amend and reenact R.S. 17:3048.1(K)(1), relative to the Louisiana Tuition Opportunity Program; to provide for use of a program award by a student for any cost of attendance for such student at an eligible public college or university as determined in accordance with specified guidelines; and to provide for related matters.

**SENATE BILL NO. 275—**

BY SENATOR NEVERS AND REPRESENTATIVES E. GUILLORY, STRAIN, WADDELL AND WINSTON

AN ACT

To amend R.S. 17:1519.6(C) and to enact R.S. 17:1519.3(E), (F), and (G), relative to the Louisiana State University Health Sciences Center-New Orleans; to provide with respect to reports to be submitted to the Senate and House committees on health and welfare; to provide for specific information and reports to be supplied to the committees; to provide for payment methodology; and to provide for related matters.

**SENATE BILL NO. 691—**

BY SENATOR JACKSON AND REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 46:153.3(D)(2)(introductory paragraph) and R.S. 46:153.3(D)(2)(m), relative to the Medicaid Pharmaceutical and Therapeutics Committee; to provide for changes with respect to who shall be appointed to the committee; and to provide for related matters.

**SENATE BILL NO. 693—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 18:1280.21 and 18:1280.25, to provide relative to the presidential preference primary; to provide relative to the participation of persons registered as an independent or not otherwise registered in a recognized political party; and to provide for related matters.

**SENATE BILL NO. 709—**

BY SENATOR MICHOT AND REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact Code of Civil Procedure Article 4918 and to enact R.S. 44:137(D), (E), (F), (G) and (H), relative to public records; to provide for the disposition of original records filed by the clerks of court; to provide for evidentiary status of reproductions of such records; to provide for an effective date; to provide for the recordation of certain cases of certain courts; and to provide for related matters.

**SENATE BILL NO. 778—**

BY SENATORS BARHAM AND DARDENNE AND REPRESENTATIVES BEARD, DANIEL AND THOMPSON

AN ACT

To amend and reenact R.S. 11:515(3), 826, 1165, 1168, and 1303, relative to certain public retirement systems; to require approval of the annual operating budgets of certain public retirement systems by the Joint Legislative Committee on the Budget; to provide for an effective date; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Lentini                      ½ Day                      Romero                      ½ Day

**Adjournment**

Senator Bajoie moved that the Senate adjourn until Sunday, June 20, 2004, at 5:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 5:00 o'clock P.M. on Sunday, June 20, 2004.

GLENN A. KOEPP  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk

